







UNITED STATES TARIFF COMMISSION
WASHINGTON

HANDBOOK
OF
COMMERCIAL TREATIES

DIGESTS OF COMMERCIAL TREATIES,
CONVENTIONS, AND OTHER AGREE-
MENTS OF COMMERCIAL INTEREST
BETWEEN ALL NATIONS



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UNITED STATES TARIFF COMMISSION.

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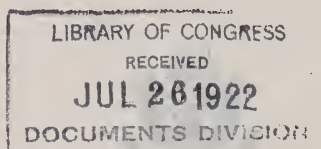
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FOREWORD.

Section 704 of the act creating the United States Tariff Commission provides "That the Commission shall have power to investigate * * * commercial treaties * * *."

In pursuance of this authorization of law and to supply an adequate handbook on commercial treaties at this time when many nations are considering the revision of their commercial treaties, the Tariff Commission has prepared this classified summary of the stipulations contained in the commercial treaties, conventions, and tariff agreements among all nations. The treaties of Austria-Hungary, Bulgaria, Germany, Russia, and Turkey have been included to show the character and extent of their commercial treaty relations before the war of 1914-1918; with this exception and a few others indicated in the body of the work only the commercial treaties now in force among the various countries are included in this volume.

By far the largest part of the work consists of digests of bilateral treaties. The form of these digests shows at a glance in which treaties, and in respect to what matters, stipulation is made of most-favored-nation treatment, or national treatment, or both; and in each case reference is made to the article, section, or clause of the treaty in question, so that the full text of any stipulation may be readily found. This part of the volume is arranged on the dictionary plan, alphabetically by countries, and is therefore self-indexing to a great extent. To avoid unnecessary duplication and to facilitate use of the handbook, each digest of a bilateral treaty is printed once only, i. e., under the country which comes first in alphabetical order, and cross reference to the treaty is made under the other country.

For multilateral conventions, the chronological order has been adopted. The various countries which are parties thereto are enumerated at the beginning of each digest. Reference to multilateral conventions by subjects is made in the table of contents.

A complete chronological index to the entire work is supplied by the list of treaties preceding the digests. The reader should bear in mind, however, that this index includes many additional agreements of commercial interest not analyzed in this volume, giving reference to texts in each case.

Finally, the concluding chapter sets out the established principles of international law concerning negotiation and operation of treaties, and forms of procedure relating thereto.

An Appendix gives lists of treaties granting specified tariff rates or pledging most-favored nation treatment in regard to customs duties. These lists give the treaties in force on July 28, 1914, the denunciations during the war or since, and new treaties up to March 1, 1922, including several recent treaties which do not appear in the chronological list of treaties on pages 15-101.

Acknowledgment is appreciatively made to the Department of State, the Library of Congress, the Carnegie Endowment Library, and to other departmental libraries for courtesies extended in the preparation of this work.

In the preparation of this volume the Commission had the services of Dr. Herman G. A. Brauer, of the Commission's staff. Assistance has been rendered also by Miss Marie A. Kasten and others of the staff.

Washington, D. C., March 1, 1922.

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² For additional multilateral agreements not analyzed in this volume see chronological reference list, pp. 99-101.

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- Act. Int-----Actos Internacionales. See Peru.
- Addl. Art-----Additional article.
- Agmt-----Agreement.
- Ann. Am. Acad-----Annals of the American Academy of Political and Social Science. Phila., 1890-.
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- See also Busschère.
- Bol., Boll., Bull-----Boletín, Bolletino, Bulletin.
- Bol. Rel. Ext-----Boletín de Relaciones Exteriores. See Peru, Salvador.
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- Com. Agrt. Commercial agreement.
- Cong. Rec. Congressional record.
- Conv. Int. Convenciones internacionales. See Nicaragua.
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- Diário do Governo. See Portugal.
- D. O. Diário oficial. See Brazil.
- Danske Tr. See Denmark.
- Decl. Declaration.
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- Diplom. Diplomatic.
- Doc. Document.
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HANDBOOK OF COMMERCIAL TREATIES.

INTRODUCTION.

SCOPE AND PURPOSE OF THIS PUBLICATION.

This handbook is designed to supply a summary or digest of the stipulations contained in the commercial treaties of all nations. It is distinctly a pioneer work, the first of its kind in any language.

Every country which participates largely in the world's commerce, industry, or shipping not only must be concerned with the rights and privileges secured by its own treaties with other nations, but is vitally interested also in the rights, favors, advantages, and privileges which other States may have secured by treaty in the different countries. Accordingly, these digests include not only stipulations contained in the commercial treaties of the United States, but also treaties, conventions, and other agreements¹ of commercial interest between all nations.

On the other hand, provisions enacted by national legislation in the different countries are not included in this publication. The line must be drawn somewhere, and other works are available in the English language dealing with national or internal legislation of the different countries on various subjects, such as "The International Customs Bulletin," "Kelly's Customs Tariffs of the World," "Commercial Laws of the World," "Shipping World Yearbook," "Statesman's Year-Book," and similar publications dealing with various aspects of international commerce.

PUBLICATIONS OF TREATY TEXTS.

No digests or synopses of any country's treaties have ever been published. Nearly all Governments, however, have from time to time issued compilations of the texts of their treaties and other international engagements. The titles of these publications, aggregating over 100 volumes in the different languages, will be found under the respective countries in the alphabetical list of abbreviations accompanying this work.

In addition to these separate compilations of the treaties of a single country, several general collections of treaties of all nations have

¹ For different forms and designations of international engagements, see Satow, II: 24-271.

been published periodically for many years. Of these the most comprehensive are "British and Foreign State Papers," 111 volumes, to December 31, 1918, and De Martens' "Recueil de Traités," in 95 volumes to 1920.

Another comprehensive collection of texts of international treaties has been recently begun in the "Treaty Series" published by the League of Nations since September, 1920, in accordance with Article 18 of the covenant of the league. This collection is designed to include every international engagement² which becomes finally binding after 10 January, 1920, to which any member of the league is a party; the texts being published in the original languages and also in English and French translations.

In the earlier collections of treaties above referred to, many of the texts are without English translations, and, moreover, many of the treaties have become obsolete. The United States Tariff Commission therefore deemed it advisable to sift out those treaties and commercial agreements which are still effective and, for convenience of reference, to condense these voluminous texts so as to present, in plain commercial English and within the compass of a single volume, the substance of stipulations in all commercial treaties in force between the different nations of the world.

FORM AND LANGUAGE OF DIGESTS.

In the digests here published, stipulations of similar nature occurring in the same treaty have been grouped together under appropriate headings, for convenience of reference, however diffused such provisions may be in the original text of the treaty. These headings convey their own meaning, except perhaps the two most conspicuous of all, namely, "National treatment" and "Most-favored-nation treatment." To give a clear and concrete idea of their meaning, and at the same time illustrate the method employed in the synopses throughout this volume, the following explanatory material is added for the benefit of readers not familiar with the language of international treaties:

MOST-FAVORED-NATION TREATMENT.

In the making of commercial treaties each State desires to be assured that its citizens, officials, products, vessels, etc., will be treated by other States at least as favorably as those of any other country, and that whatever concessions or guarantees have been or may thereafter be granted to other States shall likewise be granted

² For a statement regarding the material required to be registered under Article 18 of the covenant and procedure relating thereto, see memorandum approved by the council of the League of Nations in its Official Journal No. 4: 154-7.

to it. Accordingly, to safeguard against possible oversight at the time of making a treaty and to reduce the necessity for repetitions an instrument was devised which would automatically assure to newly contracting States the benefit of any concessions made, previously or afterwards, to third States. That instrument is the most-favored-nation clause, the purpose of which is to prevent the establishment of distinctions, preferences, or discriminations in the granting of concessions or guarantees secured by treaties.

Most-favored-nation clauses occur in commercial treaties in a large variety of forms.³ Only two of these, however, require notice in this connection; namely, the "conditional" and the "unconditional" forms of most-favored-nation treatment. A comparison of typical specimens of these will make clear the essential distinction between the two forms.

Unconditional most-favored-nation treatment.

The following example of unconditional most-favored-nation treatment is from the treaty of 1 August, 1911, between Great Britain and Bolivia:

The High Contracting Parties agree that in all matters relating to commerce and industry any privilege, favor, or immunity whatever which either High Contracting Party has actually granted or may hereafter grant to any other foreign State shall be extended *immediately and unconditionally* to the subjects or citizens of the other Contracting Party; it being their intention that the commerce and industry of each country shall be placed, in all respects, by the other on the footing of the most favored nation. (Art. V.)

This is the form of most-favored-nation clause as expressed very generally (with slight variations in the wording) in the treaties of Great Britain⁴ and of other European countries.

Conditional most-favored-nation treatment.

In treaties of the United States the most-favored-nation clause is almost always expressed in what is known as the conditional form, of which the following is a typical example from the treaty of 21 February, 1911, between the United States and Japan:

Except as otherwise expressly provided in this Treaty, the High Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favor, or immunity which either Contracting Party has actually granted, or may hereafter grant, to the citizens or subjects of any other State shall be extended to the citizens or subjects of the other Contracting Party *gratuitously, if the concession in favor of that other State shall have been gratuitous, and on the same or equivalent conditions, if the concession shall have been conditional*. (Art. XIV.)

³ For a full discussion and classification of the different types of most-favored-nation clauses, see U. S. Tariff Commission, Report on Reciprocity and Commercial Treaties: 389-456.

⁴ For a compilation of most-favored-nation clauses in the treaties of Great Britain, see Parl. Papers 1907, Cd. 3395.

A comparison of the two forms of most-favored-nation clause just quoted will show that the essential distinction between them is this: The conditional form recognizes and records a distinction between *concessions gratuitously made*, and *concessions made in return for an equivalent*; whereas the unconditional form names no conditions or circumstances under which concessions shall be made as between the contracting parties.

Interpretation of most-favored-nation clause.

Expressed in the foregoing forms, whether conditional or unconditional, the language is definite and clear, leaving little or no room for quibbling or misunderstandings. But in the so-called general or indefinite form, the clause merely states in general terms that any favor, privilege, or immunity granted by either contracting party to any third State shall be likewise accorded to the other contracting party. Expressed in this form the language of the clause is manifestly open to different constructions, and as a well-known fact, directly opposite views are taken by American and European authorities as to whether the mutual concessions are to be regarded as made conditionally or unconditionally. According to the "American"² construction, consistently maintained from the beginning and upheld by the United States Supreme Court, the most-favored-nation clause in the general or indefinite form is to be construed as though it were worded in the conditional form.

Digests of most-favored-nation clauses.

Needless to say, most-favored-nation stipulations in treaties are not confined to a single clause pledging reciprocal privileges, favors, or immunities in comprehensive but general terms. In addition to a general or covering clause resembling those quoted above, treaties usually contain express provisions stipulating most-favored-nation treatment in respect to specified matters, often in language which does not make use of the words "most favored nation."

The following typical specimens will show the wording of such special provisions in treaties, and at the same time will exemplify the method employed in condensing the texts of these stipulations, as shown by the digests cited below:

No other or higher duties shall be imposed on the importation into the territories of the United States of any article, the produce or manufacture of the territories of His Majesty the Emperor of Japan, from whatever place arriving;

² Among European jurists who approve of the American construction are Westlake and de Martens. For a full discussion of the American construction of the most-favored-nation clause in its various applications, see Crandall, secs. 172-7, and the authorities and judicial decisions there cited. A digest of decisions of American courts construing treaties arranged by countries and treaties is given in the same work, Appendix I: 466-634. For the operation of the most-favored-nation clause, see also Jones, *Ann. Am. Acad.*, vol. 32, pp. 119-29.

and no other or higher duties shall be imposed on the importation into the territories of His Majesty the Emperor of Japan of any article, the produce or manufacture of the territories of the United States, from whatever place arriving, than on the like article produced or manufactured in any other foreign country. (Treaty of 22 Nov., 1894, Art. IV.)

Neither Contracting Party shall impose any other or higher duties or charges on the exportation of any article to the territories of the other than are or may be payable on the exportation of the like article to any other foreign country.

Nor shall any prohibition be imposed by either country on the importation or exportation of any article from or to the territories of the other, which shall not equally extend to the like article imported from or exported to any other country. The last provision is not, however, applicable to prohibitions or restrictions maintained or imposed as sanitary measures or for purposes of protecting animals and useful plants. (Treaty of 21 Feb., 1911, Art. V.)

Vessels charged with performance of regular scheduled postal service of one of the High Contracting Parties, whether belonging to the State or subsidized by it for the purpose, shall enjoy, in the ports of the territories of the other, the same facilities, privileges and immunities as are granted to like vessels of the most favored nation. (Ibid., Art. XII.)

In the digests published in this volume, the clauses last cited are condensed in the following form:

Most-favored-nation treatment is reciprocally but conditionally pledged with regard to:

(a) All duties imposed by either country on importation of products of the other, from whatever place arriving. (Treaty of 22 Nov., 1894, Art. IV.)

(b) All duties or charges imposed by either country on exportation of any article to territories of the other. (Treaty of 21 Feb., 1911, Art. V.)

(c) Any prohibitions imposed by either country against importation or exportation of any article to or from territories of the other; except sanitary measures, and measures to protect animals or useful plants. (Ibid.)

(d) All facilities, privileges and immunities granted in ports of the territories of either country to vessels charged with regular scheduled postal service of the other contracting party, whether owned by the State or subsidized by it for the purpose. (Ibid., Art. XII.)

A comparison of the foregoing synopses with the full treaty text of the same stipulations (as quoted above) will help the reader to understand clearly the condensed language employed in the digests throughout this work.

NATIONAL TREATMENT.

All stipulations in commercial treaties which provide that citizens of either contracting party shall enjoy in the other country

the same rights or privileges as its own citizens or nationals, in respect to the matters named, are summarized in this volume under the caption "National treatment." Of course national treatment, like most-favored-nation treatment, may or may not be reciprocal, and may be general or absolute, or limited in a variety of ways. The extent or type of national treatment, however, is apparent from the language employed in each case, and therefore need concern us no further in these illustrations, the sole purpose of which is to explain certain technical terms or professional forms of expression necessarily employed in a work of this kind.

A few examples of national-treatment clauses⁶ will convey a clearer conception of their meaning than elaborate explanations would do. The following specimens are taken from the treaty of 3 July, 1815, between the United States and Great Britain:

No higher or other duties or charges shall be imposed in any of the ports of the United States on British vessels than those payable in the same ports by vessels of the United States; nor in the ports of any of His Britannick Majesty's territories in Europe on the vessels of the United States than shall be payable in the same ports on British vessels.

The same duties shall be paid on the importation into the United States of any articles the growth, produce or manufacture of His Britannick Majesty's territories in Europe, whether such importation shall be in vessels of the United States or in British vessels, and the same duties shall be paid on the importation into the ports of any of His Britannick Majesty's territories in Europe, of any article the growth, produce or manufacture of the United States, whether such importation shall be in British vessels or in vessels of the United States.

The same duties shall be paid, and the same bounties allowed, on the exportation of any articles the growth, produce or manufacture of His Britannick Majesty's territories in Europe to the United States, whether such exportation shall be in vessels of the United States or in British vessels; and the same duties shall be paid, and the same bounties allowed, on the exportation of any articles the growth, produce or manufacture of the United States, to His Britannick Majesty's territories in Europe, whether such exportation shall be in British vessels or in vessels of the United States.

It is further agreed that in all cases where drawbacks are or may be allowed upon the re-exportation of any goods the growth, produce or manufacture of either country, respectively, the amount of the said drawbacks shall be the same, whether the said goods shall have been originally imported in a British or an American vessel, but when such re-exportation shall take place from the United States in a British vessel, or from the territories of His Britannick Majesty in Europe in an American vessel, to any other foreign nation, the two contracting parties reserve to themselves, respectively, the right of regulating or diminishing, in such case, the amount of the said drawback. (Art. II.)

⁶ For a compilation of national-treatment clauses in the treaties of Great Britain, see Parl. Papers, 1907, Cd. 3396.

In this handbook the above stipulations are condensed, under the appropriate heading, in the following form:

National treatment is reciprocally pledged (but limited to European territories of Great Britain) in respect to:

(a) All duties or charges imposed in ports of either country on vessels of the other. (Art. II.)

(b) All duties levied by either country on importation of products of the other, whether imported in vessels of either nation. (Ibid.)

(c) All duties imposed or bounties allowed by either country on exportation of its products to the other, whether exported in vessels of either nation. (Ibid.)

(d) Any drawbacks allowed by either country on reexportation of products of the other, whether originally imported in vessels of either nation; except when reexportation is made from either country in ships of the other to any other foreign nation, in which case both countries reserve the right to determine the amount of said drawback. (Ibid.)

NATIONAL OR MOST-FAVORED-NATION TREATMENT.

The examples heretofore cited of most-favored-nation and of national treatment clauses are typical specimens, as to both form and substance. Many treaties, however, besides granting national or most-favored-nation treatment in separate clauses, contain provisions in which national and most-favored-nation treatment are included in the same stipulation, as in the following examples from the treaty of 13 May, 1858, between the United States and Bolivia:

All kinds of produce, manufactures or merchandise of any foreign country which can, from time to time, be lawfully imported into the United States in their own vessels, may be also imported in vessels of the Republic of Bolivia; and no higher or other duties upon the tonnage of the vessel and her cargo shall be levied and collected, whether the importation be made in the vessels of the one country or of the other; and in like manner all kinds of produce, manufactures and merchandise of any foreign country that can be, from time to time, lawfully imported into the Republic of Bolivia in its own vessels, whether in her ports upon the Pacific or her ports upon the tributaries of the Amazon or La Plata, may be also imported in vessels of the United States; and no higher or other duties upon the tonnage of the vessel and her cargo shall be levied or collected, whether the importation be made in vessels of the one country or of the other. And they agree that what may be lawfully exported or re-exported from the one country in its own vessels, to any foreign country, may, in like manner, be exported or re-exported in vessels of the other country; and the same bounties, duties and drawbacks shall be allowed and collected, whether such exportation or re-exportation be made in vessels of the United States or of the Republic of Bolivia.

In all these respects the vessels and their cargoes of the one country, in the ports of the other, shall also be on an equal footing with those of the most

favorable nation. It being further understood that these principles shall apply whether the vessels shall have cleared directly from the ports of the nation to which they appertain, or from the ports of any other nation. (Art. IV.)

It is likewise agreed that it shall be wholly free for all merchants, commanders of ships, and other citizens of either country, to manage themselves their own business, in all the ports and places subject to the jurisdiction of the other, as well with respect to the consignment and sale of their goods and merchandise, by wholesale or retail, as with respect to the loading, unloading and sending off their ships; they being in all these cases to be treated as citizens of the country in which they reside, or at least to be placed on a footing with the citizens or subjects of the most favored nation. (Art. VII.)

The Republic of Bolivia, desiring to increase the intercourse between the Pacific ports by means of steam navigation, engages to accord to any citizen or citizens of the United States who may establish a line of steam-vessels to navigate regularly between the different ports and bays of the coasts of Bolivian territory, the same privileges of taking in and landing freight and cargo, entering the by-ports for the purpose of receiving and landing passengers and their baggage and money, carrying the public mails, establishing depots for coal, erecting the necessary machine and work shops for repairing and refitting the steam-vessels, and all other favors enjoyed by any other association or company whatsoever of the same character. It is furthermore understood between the two high contracting parties that the steam-vessels of either shall not be subject, in the ports of the other party, to any duties of tonnage, harbor, or other similar duties whatsoever than those that are or may be paid by any other association or company. (Art. VIII.)

The substance of the extensive stipulations last quoted is given in these digests in the following form:

National or most-favored-nation treatment (optional) is reciprocally pledged with regard to the following matters:

(a) Any products of foreign countries which may lawfully be imported into, and any articles which may lawfully be exported or reexported from either country in its own vessels, may likewise be imported, exported, or reexported in ships of the other, from whatever place arriving and for any foreign destination without paying higher or other duties on tonnage of the vessel and her cargo, and subject to the same bounties, duties, or drawbacks, as when carried in national vessels or those of the most favored nation. (Art. IV.)

(b) Citizens of either country may, in all ports and places subject to jurisdiction of the other, manage their own business, as regards consignment and sale of merchandise by wholesale or retail, and loading, unloading, or dispatching of ships. (Art. VII.)

(c) Bolivia further engages to accord to citizens of the United States who may establish a line of steamships for regular service between ports and bays on the Pacific Coast of Bolivia the same privileges, advantages, and favors enjoyed by any other association or company of the same character.

Steamships of either country shall not be subjected in ports of the other to any duties of tonnage, harbor, or other similar duties whatsoever than those payable by any other association or company. (Art. VIII.)

OTHER PROVISIONS IN TREATIES.

The examples heretofore cited have all related to national or most-favored-nation treatment. Commercial treaties, however, contain provisions on a wide variety of other subjects, such as conditions of residence, travel, and trade; immigration and emigration; police protection and civil rights; admission of diplomatic and consular officials, their rights and activities; vehicles and instruments of communication and transportation; navigation, quarantine and harbor regulations, and dues relating thereto; conditions for importation, exportation, transit, transfer, warehousing; tariffs and customs laws; protection to patents, trade-marks, copyrights, and other industrial property rights; possession and disposal of, or succession to, real and personal property; payment of taxes; rights of commercial, industrial, or financial associations; exemption from military service, municipal functions, forced loans, and extraordinary levies; treatment of commercial travelers and their samples; bounties and drawbacks, internal duties and local dues; treatment of vessels seeking refuge from damage or shipwreck; salvage operations and dues; coasting trade and port-to-port trade with foreign cargoes; extraterritorial jurisdiction; freedom of religion and right of burial; and numerous other rights, privileges, interests, or conditions affecting citizens and corporations of one country residing and operating in the other. In other words, provisions in commercial treaties may be as wide and diversified as the objects, interests, activities, and instruments of commerce and industry in all their phases, so as to protect the rights and interests of nations and individuals participating in commercial and industrial development on an international scale.

In the digests throughout this work treaty stipulations other than most-favored-nation and national-treatment provisions are summarized under the caption "Other provisions." Naturally, in a work of this kind clauses relating to customs duties and regulations or to other matters bearing directly on commercial interests and privileges are treated more fully than provisions which only indirectly and remotely concern commercial or industrial relations between the contracting countries. In each case, however, reference is made to the article or section of the treaty in question, so that the full text of any stipulation may be readily found whenever wanted

for any purpose. The following example is from the treaty of 26 February, 1871, between the United States and Italy:

Other provisions.

(a) Citizens of either country are exempt in the other from compulsory military service, by land or sea; from judicial or municipal office, and from any contribution in lieu of personal service. (Art. III.)

(b) Citizens of either country are exempt in the other from any embargo, and from any detention with their vessels, cargoes, merchandise or effects, for military expeditions or for any other purpose, unless sufficient indemnification is allowed. (Art. IV.)

(c) Right of vessels of either country to discharge foreign cargoes at different ports of the other on the same voyage; but coastwise navigation is reserved by each country to itself. (Art. VII.)

(d) Statement of conditions under which vessels of either country are exempt from tonnage, anchorage, and clearance duties in ports of the other. (Art. VIII.)

(e) Extensive provisions regarding enrolment of sailors (Art. X); restoration of vessels captured by pirates (Art. XI), and reciprocal rights in the event of war (Arts. XII-XXI).

RIGHTS INDEPENDENT OF TREATIES.

A word of caution should perhaps be added with reference to rights not derived from treaties. In the first place, it must always be remembered that treaties are not the exclusive source or measure of the rights and privileges of aliens in a given country. The fact that no treaty exists between two nations therefore does not mean that the citizens of the one have no rights whatever in the other. Moreover, a comparison of treaties shows at a glance that some are much more complete and detailed than others in specifying the rights and privileges assured to citizens of the contracting States in the countries concerned. This does not mean that citizens of States having less complete treaties with a given country necessarily have fewer rights in that country than other foreigners whose home States have more extensive or more detailed treaties with the country in question. As a well known fact, numerous rights and privileges are assured to aliens in all civilized countries by domestic legislation through national or municipal laws, whether general laws applying to nationals and aliens alike, or special laws concerning aliens alone.

In the progress of many centuries, the legal position of the alien has advanced from that of complete outlawry in the days of early

Rome to practical assimilation with nationals at the present time in most civilized countries. Provided he owns any nationality at all, an alien can not be outlawed in foreign countries, but must be afforded protection of his person and property.

RIGHTS AND DISABILITIES OF ALIENS UNDER STATUTE LAW.

This is not the place to enumerate the rights and disabilities of different classes of aliens under national laws in the different countries, as the details vary from State to State and, unless guaranteed by treaty are subject to change without notice. In a general way, the legal position of the resident alien in civilized countries is, in his private relations, practically the same as that of the national, or citizen, except minor disabilities in some countries concerning acquisition and conveyance of landed property, ownership of national vessels, etc.; and except certain restrictions or prohibitions based on social and economic grounds, such as laws relating to immigration, exercise of certain trades or professions, surtaxes on foreign corporations, etc. In a word, the modern tendency has been to bring about an approximation of the alien to the citizen in the enjoyment of civil as contrasted with political rights.

In the United States, for example, resident alien friends are entitled to the benefit of the provision of the Federal Constitution that no State shall deprive "any person" of life, liberty, or property without due process of law, or deny to "any person" the equal protection of the law. These rights and privileges include both personal rights and property rights. Moreover, the legislatures of the several States have full power to confer upon aliens rights within their jurisdictions which otherwise they would not have.⁷ Similar provision is made by all civilized countries concerning treatment of aliens within their jurisdiction, the general principles being either embodied in their constitutions, or regarded as so fundamental that no express declaration or guaranty is required.

On the other hand, statutes exist in many countries restricting the rights of aliens in specified ways, as for example, the following section from the Code of Laws for the District of Columbia, which forbids aliens, under penalty of forfeiture, to acquire and own real estate or any interest therein. Incidentally this statute illustrates also the important fact that rights granted by treaty are generally more stable, and therefore more dependable, than rights based only on national laws in the different countries.

It shall be unlawful for any person not a citizen of the United States, or who has not lawfully declared his intention to become such citizen, or for any

⁷ For a detailed statement of privileges and disabilities of aliens in the United States, based on decisions of the courts, see article Aliens, 2 Corpus Juris: 1046-75.

corporation not created by or under the laws of the United States or of some State or Territory of the United States, to acquire and own real estate, or any interest therein, in the District of Columbia, except such as may be acquired by inheritance: *Provided*, That the prohibition of this section shall not apply to cases in which the right to hold and dispose of lands in the United States is secured by existing treaties to the citizens or subjects of foreign countries * * * and shall not apply to the ownership of foreign legations or the ownership of residences by representatives of foreign governments or attachés thereof. (Sec. 396.)

RIGHTS OF ALIENS UNDER INTERNATIONAL LAW.

In addition to and independently of any rights assured to aliens by the local law of civilized States, international law and established custom have secured for the foreigner a certain standard of justice and minimum of rights relating to life, liberty, and property by which a State must be guided in its treatment of aliens, quite apart from any treaty it may have with the alien's home State. In short, every State is by the law of nations compelled at least to grant to aliens equality before the law with its own citizens as far as safety of person and property is concerned; and corrupt administration of the law against natives is no excuse for the same against aliens.

JURISDICTION OF ALIENS.

As a general rule foreigners in a given country must accept for their protection the institutions, whether of government or of justice, which the inhabitants of the State find suitable to themselves. In other words, aliens are under the complete territorial jurisdiction of the country of residence, and subject to the local courts and authorities, and their home States will not normally interfere for their protection so long as they enjoy equal treatment with natives. But to this rule there are important exceptions. The mere fact that aliens have been granted the rights authorized by local law, and equality of treatment with natives, is not necessarily a full and final compliance with international requirements. Accordingly, international obligations of a State can not be avoided or reduced by provisions of municipal law, or by the fact that a State violates the rights of its own citizens.

If, therefore, the laws of a given country should be arbitrarily unreasonable and out of harmony with the standard of civilized States, or if the administration of its laws transgresses the prescriptions of civilized justice, or if in any respect there is an abuse of the rights of territorial jurisdiction as provided by treaties or established customs, the sovereignty of the alien's home State reasserts itself and emerges in the form of diplomatic protection, which constitutes therefore a limitation upon the territorial jurisdiction of the State in which the alien is settled or is conducting business.

EXTRITERRITORIAL JURISDICTION.

Apart from affording effective protection to foreigners as regards their persons and property, such as may be deemed adequate under international law, every State can treat aliens according to discretion, unless restricted through treaties between the countries concerned. Such restrictions are of varying kinds and degrees and may differ in detail from country to country. The largest derogation from a State's territorial sovereignty is found in backward countries where other States exercise what is known as extriterritorial jurisdiction. For example, in certain countries of deficient civilization or fundamental differences in law, religion, and social habits the States of European civilization have secured for their citizens partial or complete exemption from the operation of local law, as in China, Egypt, Morocco, Muscat, Persia, Siam, and Turkey. By treaty or custom these countries have surrendered a considerable portion of their jurisdiction over aliens to States of European civilization, who exercise jurisdiction over their own nationals in those countries, by courts and authorities established and regulated by their own municipal legislation, usually through their consular representatives. The extent of the exemption from local law depends in each case almost entirely upon treaty.

From what has been said it will be readily understood that treaties between highly developed nations may be less complete and specific with reference to fundamental rights than treaties between countries on a lower plane of civilization and culture, or between countries fundamentally different in morals or religion. It must, therefore, never be assumed that the more specific a nation's treaties with a given country may be, the more numerous are the rights of its citizens as compared with other foreigners in that particular country; or that, because nothing is said about certain rights in treaties with a given country, therefore foreigners in that country are without those rights. As often as not, the reverse might be true; for the less there is taken for granted, the more detailed must be the expression of rights to be assured by treaties.³

³ For a comprehensive discussion of the rights and disabilities of aliens in practically every civilized country, and numerous publications dealing with these rights, see Borchard; also Moore, IV: 2-238.

BILATERAL TREATIES,^a CONVENTIONS, AND AGREEMENTS.

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		English and Danish, U. S. T. S. No. 629; English, A. J. I. L., Supp. 11: 53.		
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		English, Cong. Rec. 59: 1536. (Ratification advised by U. S. Senate; ratification on part of Ecuador still pending, 1 Oct., 1921.)		
		Convention. Gold clearance fund.....	25 May, 1920
		English, International High Commission, 1919. (Not yet ratified by either country, 1 Oct., 1921.)		

¹ Nos. and pages refer to treaties analyzed.

¹ See p. 187, note 20.

^a Treaties in the lists, pp. 15-101, which grant specified tariff rates or pledge most-favored-nation treatment in regard to customs duties are listed again in the appendix, p. 869. This appendix gives the treaties in force at the outbreak of the war, and denunciations, terminations, and new treaties to 1 Mar., 1922, including several not mentioned in this list.

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Egypt.....	18	Agreement. Commerce and customs.....	16 Nov., 1884	125
Ethiopia (Abyssinia).	19	Treaty. Commercial.....	27 June, 1914	126
France.....	20	Convention. Commerce and navigation.....	24 June, 1822	126
	21	Convention. Consular.....	23 Feb., 1853	127
		Convention. Trade-marks.....	16 Apr., 1869	.....
		English, U. S. Tr. I: 534; French, France Tr. I: 245.		
		Agreement. Relations in Tunis.....	15 Mar., 1904	
		English, U. S. Tr. I: 544; B. F. S. P. 97: 954; French, France Tr. I: 250; French and English, Martens 84: 513.		
		Agreement. Trade-marks in China.....	3 Oct., 1905	.....
		English, U. S. Tr. I: 545; MacMurray I: 538.		
		Exchange of notes. Copyright in China.....	27 Dec., 1911	.....
		English, MacMurray I: 927.		
Germany: *	with 20	Agreement. Duration treaty of 1822.....	17 July, 1919	126
		Treaty. Amity and commerce (Prussia).....	10 Sept., 1785	.....
		English, U. S. Tr. II: 1477.		
		Treaty. Amity and commerce (Prussia).....	11 July, 1799	.....
		English, U. S. Tr. II: 1486; English and French, B. F. S. P. 15: 882, 886.		
		Convention. Commerce and navigation (Hanseatic Republics).....	20 Dec., 1827	.....
		English, U. S. Tr. I: 901; German, Hdv. 1906: 1292; French and English, Martens 15 (pt. 1): 362.		
		Treaty. Commerce and navigation (Prussia).....	1 May, 1828	.....
		English, U. S. Tr. II: 1496.		
		Treaty. Commerce (Mecklenburg-Schwerin).....	9 Dec., 1847	.....
		English, U. S. Tr. I: 1074; German, Hdv. 1906: 1277; Martens 39: 643.		
		Convention. Consular.....	11 Dec., 1871	.....
		English, U. S. Tr. I: 550; German, Reichsgbl. 1872: 95.		
		Agreement. Copyright.....	15 Jan., 1892	.....
		English, U. S. Tr. I: 557; B. F. S. P. 84: 1186; English and German, Martens 67: 934.		
		Agreement. Trade-marks in Morocco.....	28 Sept., 1901	}.....
		English, U. S. Tr. I: 559.	8 Oct., 1901	
		Agreement. Trade-marks in China.....	6 Dec., 1905	.....
		English, U. S. Tr. I: 560; MacMurray I: 544.		
		Convention. Patents, etc.....	23 Feb., 1909	.....
		English, U. S. Tr. I: 578; B. F. S. P. 102: 443; A. J. I. L., Supp. 3: 278.		
Great Britain....	22	Treaty of peace.....	25 Aug., 1921	127
	23	Convention. Commerce.....	3 July, 1815	129
		Convention. Fisheries, etc.....	20 Oct., 1818	.....
		English, U. S. Tr. I: 631; Hdb. 1912: 984; German and French, Martens (transl.) 12: 570.		
		Convention. Extending convention of 1815.....	6 Aug., 1827	.....
		English, U. S. Tr. I: 645; Hdb. 1912: 987; Martens 15: 476.		
	24	Treaty of Washington.....	8 May, 1871	130
		Declaration. Trade-marks.....	24 Oct., 1877	.....
		English, U. S. Tr. I: 737; Hdb. 1912: 993; Martens 52: 527.		
	25	Convention. Property.....	2 Mar., 1899	131
		Convention. Samoan Islands.....	2 Dec., 1899	.....
		English, U. S. Tr. II: 1595; English and German, B. F. S. P. 91: 75; Martens 80: 683.		
		Agreement. Trade-marks in Morocco.....	9 Oct., 1899	}.....
		English, U. S. Tr. I: 778; Hdb. 1912: 1004; B. F. S. P. 95: 56.	6 Dec., 1899	
	26	Treaty. Inter-oceanic canal, etc.....	18 Nov., 1901	132
		Convention. Supplementary to convention of 2 Mar., 1899.	13 Jan., 1902	.....
		English, U. S. Tr. I: 776; B. F. S. P. 95; 114; Martens 70: 641; Parl. Papers, 1902 (ed. 1073), 130: 655.		
		Convention. Import duties (Zanzibar).....	31 May, 1902	.....
		English, U. S. Tr. I: 784; Hdb. 1912: 1008; Martens 81: 350; B. F. S. P. 95: 115; Hertslet 23: 1240.		
		Treaty. Harbor dues (Zanzibar).....	5 June, 1903	.....
		English, U. S. Tr. I: 785; Hdb. 1912: 1010; Martens 81: 561; B. F. S. P. 96: 90.		
		Treaty. Extraterritoriality (Zanzibar).....	25 Feb., 1905	.....
		English, U. S. Tr. I: 795; Martens 84: 510; B. F. S. P. 98: 107.		
		Agreement. Trade-marks in China.....	28 June, 1905	.....
		English, U. S. Tr. I: 800; Hdb. 1912: 1012; Martens 88: 855; B. F. S. P. 98: 158; Hertslet's China Tr. I: 604; MacMurray I: 502.		

* See p. 546, note 128.

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		Declarations. Commercial travelers' samples..... English, U. S. T. S. No. 552; Hdb. 1912: 1015; Martens 92: 822; B. F. S. P. 103: 331.	3 Dec., 1910 8 Dec., 1910	
		Agreement. North Atlantic fisheries..... English, U. S. Tr. III: 66; Martens 91: 673; B. F. S. P. 105: 284; Parl. Papers 1912 (ed. 6450), 122: 639; A. J. I. L., Supp. 7: 14.	20 July, 1912	
Greece.....	27	Treaty. Commerce and navigation..... Agreement. Additional to treaty of 1837..... English, U. S. Tr. I: 854; English and Greek, Greece Tr. 1912: 135.	22 Dec., 1837 10 Feb., 1890	132
		Convention. Consular..... English, U. S. Tr. I: 855; Martens 81: 466; B. F. S. P. 95: 799.	2 Dec., 1902	
Guatemala.....	with 27	Agreement. Duration treaty of 1837..... Convention. Property..... English, U. S. Tr. I: 876; B. F. S. P. 94: 621; Martens 81: 704.	18 Oct., 1920 27 Aug., 1901	132
	28	Convention. Commercial travelers..... Convention. Gold clearance fund..... English, International High Commission, 1919. (Not yet ratified by either country, 1 Oct., 1921.)	3 Dec., 1918 4 Dec., 1919	134
Haiti.....	29	Treaty. Economic development..... Convention. Gold clearance fund..... English, International High Commission, 1919. (Not yet ratified by either country, 1 Oct., 1921.)	16 Sept., 1915 14 Jan., 1920	135
Honduras.....	30	Treaty. Commerce and navigation.....	4 July, 1864	135
Hungary.....	31	Treaty of peace.....	29 Aug., 1921	137
Italy.....	32	Treaty. Commerce and navigation..... Convention. Consular..... English, U. S. Tr. I: 977; Italian, Martens 54: 272.	26 Feb., 1871 8 May, 1878	138
		Declaration. Trade-marks..... English, U. S. Tr. I: 984; Italian, Martens 58: 641.	1 June, 1882	
		Agreement. Trade-marks in Morocco..... English, U. S. Tr. I: 989; B. F. S. P. 98: 750.	13 June, 1904 12 Mar., 1904	
		Agreement. Trade-marks in China..... English, U. S. Tr. I: 991; MacMurray, I: 547.	18 Dec., 1905	
Japan.....	with 32	Convention. Amending treaty of 1871.....	25 Feb., 1913	139
	with 33	Treaty. Commerce and navigation..... Convention. Copyright..... English, U. S. Tr. I: 1037; Japan, Tr. 1918: 10; Martens 84: 715; B. F. S. P. 101: 463.	22 Nov., 1894 10 Nov., 1905	140
		Treaty. Trade-marks in China..... English, U. S. Tr. I: 1043; Japan, Tr. 1918: 15; Martens 87: 679; B. F. S. P. 101: 1034; MacMurray I: 735.	19 May, 1908	
	33	Treaty. Commerce and navigation.....	21 Feb., 1911	140
	34	Agreement. Mutual interest in China.....	2 Nov., 1917	142
Liberia.....	35	Treaty. Commerce and navigation.....	21 Oct., 1862	143
Luxemburg.....		Declaration. Trade-marks..... English, U. S. Tr. I: 1057; B. F. S. P. 98: 752; English and French Martens, 82: 373.	23 Dec., 1904	
Morocco.....	36	Treaty. Peace and friendship.....	16 Sept., 1835	144
Muscat.....	37	Treaty. Amity and commerce.....	21 Sept., 1833	145
Netherlands.....	38	Convention. Commerce and navigation..... Agreement. Trade-marks..... English, U. S. Tr. II: 1265.	26 Aug., 1852 16 Feb., 1883	145
		Agreement. Trade-marks in China..... English, U. S. Tr. II: 1273; MacMurray I: 540.	23 Oct., 1905	
Nicaragua.....		Convention. Commercial travelers..... English, Cong. Rec. 59: 1536. (Ratification advised by U. S. Senate; ratification on part of Nicaragua still pending, 1 Oct., 1921.)	5 Jan., 1920	
Norway.....	39	Treaty. Commerce and navigation.....	4 July, 1827	146
Panama.....		Convention. Ship canal..... English, U. S. Tr. II: 1349; B. F. S. P. 96: 553; Martens 81: 599; Staatsarchiv. 69: 313; A. J. I. L., Supp. 3: 130.	18 Nov., 1903	
	40	Convention. Commercial travelers..... Exchange of notes. Declarations of shippers regarding value of merchandise..... English, U. S. T. S. No. 578; B. F. S. P. 107: 1069....	8 Feb., 1919 17 Apr., 1913	147
		Convention. Gold clearance fund..... English, International High Commission, 1919. (Not yet ratified by either country, 1 Oct., 1921.)	10 Jan., 1920	

* See p. 187, note 20.

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		Convention. Commercial travelers.....	20 Oct., 1919
		English, Cong. Rec. 59: 2302. (Ratifications not yet exchanged.)		
		Convention. Gold clearance fund.....	7 Nov., 1919	....
		English, International High Commission, 1919. (Not yet ratified by either country, 1 Oct., 1921.)		
Persia.....	42	Treaty. Friendship and commerce.....	13 Dec., 1856	150
Rumania.....		Convention. Consular.....	17 June, 1881	....
		English, U. S. Tr. II: 1505; Martens 64: 112.		
		Convention. Trade-marks.....	31 Mar., 1906	....
		English, U. S. Tr. II: 1510; Martens 85: 204; French, B. F. S. P. 101: 579.		
Russia ⁵		Agreement. Joint-stock companies.....	25 June, 1904	....
		English, U. S. Tr. II: 1534; French, Martens 82: 371; Descamps et Renault 1904: 992; Staatsarchiv. 74: 173.		
		Agreement. Trade-marks in China.....	28 June, 1906	....
		English, U. S. Tr. II: 1535; English and French, Martens, 93: 392.		
Salvador.....	43	Convention. Commercial travelers.....	28 Jan., 1919	151
Serb-Croat-Slovene State. ⁶	44	Treaty. Commerce and navigation.....	14 Oct., 1881	152
		Convention. Consular.....	14 Oct., 1881	....
		English, U. S. Tr. II: 1618; Martens 61: 749		
Siam.....	45	Treaty. Revising previous treaties.....	16 Dec., 1920	153
Spain.....	46	Treaty. General relations.....	3 July, 1902	156
Sweden.....		Convention. Consular.....	1 June, 1910	....
		English, U. S. Tr. III: 112; B. F. S. P. 103: 1004; English and Swedish, Martens 92: 516; U. S. T. S. No. 557.		
		Agreement. Trade-marks in China.....	7 Mar., 1913	....
		English, B. F. S. P. 108: 607; MacMurray II: 1002.		
Switzerland.....	47	Convention. Commerce and extradition.....	25 Nov., 1850	158
		Agreement. Trade-marks.....	27 July, 1853	....
		English, U. S. Tr. II: 1769.	14 May, 1883	....
Tripoli.....	48	Treaty. Peace and amity.....	4 June, 1805	159
Turkey.....	49	Treaty. Commerce and navigation.....	7 May, 1830	160
		Protocol. Property rights in Turkey.....	11 Aug., 1874	....
		English, U. S. Tr. II: 1344.		
Uruguay.....	50	Convention. Commercial travelers.....	27 Aug., 1918	160
Venezuela.....	51	do.....	3 July, 1919	161

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America, United States of.	1	Treaty. Navigation of Parana and Uruguay.....	10 July, 1853	103
	2	Treaty. Commerce and navigation.....	27 July, 1853	103
		Convention. Commercial travelers.....	22 Oct., 1920	....
		English, Cong. Rec. 61: 14. (Ratification advised by U. S. Senate; ratification on the part of Argentina still pending, 1 Oct., 1921.)		
Bolivia.....	52	Treaty. Commerce and navigation.....	9 July, 1868	163
Brazil.....	53	do.....	7 Mar., 1856	164
	54	Convention. Navigation of Parana and Uruguay.....	20 Nov., 1857	165
		Convention. Trade-marks.....	30 Oct., 1901	....
		English, B. F. S. P. 97: 549; Spanish, Martens 91: 302.		
Denmark.....		Declaration. Trade-marks.....	9 Jan., 1883	....
		French, Martens 62: 494.		
France.....	55	Treaty. Navigation of Parana and Uruguay.....	10 July, 1853	166
	with 55	Convention. Additional to treaty of 1853.....	19 Aug., 1892	166
Germany.....	56	Treaty. Commerce and navigation. (Customs union).	19 Sept., 1857	167
Great Britain.....	57	Treaty. Friendship, commerce, and navigation.....	2 Feb., 1825	169
		Treaty. Navigation of Parana and Uruguay.....	10 July, 1853	....
		English, Hdb. 1912: 7; English and Spanish, B. F. S. P. 42: 3; Hertslet 9: 191; Argentina Tr. I: 58.		
Italy.....		Convention. Consular.....	20 Dec., 1885	....
		Spanish, Argentina Tr. 8: 479; French, Martens 72: 25.		
	58	Convention. Commerce.....	1 June, 1894	170
	with 58	Protocol. Duration of convention of 1894.....	31 Jan., 1895	170
		Convention. Sanitary.....	17 Aug., 1912	....
		English, B. F. S. P. 106: 839; Italian, Martens 94: 817; Staatsarchiv. 83: 342.		

⁵ See p. 757, note 195.⁶ See p. 771, note 197.

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Norway.....	62	Treaty. Commerce and navigation.....	17 July, 1885	173
Paraguay.....		Convention. Consular.....	14 Mar., 1877
		English, B. F. S. P. 70: 559; Spanish, Martens 62: 466; Argentina Tr. 9: 219.		
		Convention. Cattle trade.....	30 May, 1908
		Spanish, Martens 91: 613.		
Persia.....	60	Treaty. Friendship and commerce.....	27 July, 1902	172
Peru.....		Convention. Consular.....	5 May, 1874
		Spanish, Peru Act. Int. 1916: No. 17; Martens 62: 452.		
Portugal.....		Convention. Consular.....	24 Dec., 1878
		English, B. F. S. P. 69: 346; Spanish, Argentina Tr. 9: 392; Martens 62: 9.		
Spain.....	61	Treaty. Peace and friendship.....	21 Sept., 1863	173
Sweden.....	62	Treaty. Commerce and navigation.....	17 July, 1885	173
Turkey.....		Protocol. Consular.....	11 June, 1910
		English, B. F. S. P. 103: 356; Spanish, Martens 92: 314; German, Staatsarchiv. 81: 242.		
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Allied and Associated Powers..	63	Treaty of peace.....	10 Sept., 1919	176
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Bulgaria.....	64	Exchange of notes. Commerce.....	16 Nov., 1920	182
Czechoslovakia....		Agreement. Execution of Treaty of St. Germain.....	18 May, 1920
		German, Bundesgbl. No. 479.		
		Treaty. Citizenship and protection of minorities.....	7 June, 1920	.....
		German, Bundesgbl. No. 163.		
		Agreement. Transportation, etc.....	2 Aug., 1920	.....
		German, Bundesgbl. No. 442.		
		Agreement. Deposits.....	10 Aug., 1920	.....
		German, Bundesgbl. No. 391.		
		Treaty. Commerce.....	4 May, 1921	.....
		English, Summary (transl.), State Department dispatch, Vienna, 11 July, 1921. (Provisions as to handling of permits for export and import were put into operation 1 June, 1921.)		
France.....		Agreement. Execution of treaty of St. Germain.....	18 Sept., 1920	.....
		German, Bundesgbl. No. 20.		
		Agreement. Application of Part X of Treaty of St. Germain to Alsace-Lorraine.	7 Feb., 1921	.....
		German, Bundesgbl. No. 189.		
Germany.....	65	Agreement. Commerce.....	1 Sept., 1920	183
		Convention. Finance.....	.....do.....	.....
		German, Reichsanzeiger, 13 Sept., 1920, No. 206.		
Great Britain.....		Exchange of notes, settlement of prewar debts.....	27 Aug., 1920	}
		German, Bundesgbl. No. 478.	2 Oct., 1920	
Hungary.....		Agreement. Commerce.....	15 June, 1920	.....
		German, State Department dispatch, Vienna, 5 July, 1921. (In force at present, extension automatic from month to month, terminable on 1 week's notice.)		
Liechtenstein.....		Exchange of notes. Commerce.....	22 Apr., 1920	.....
		German, Bundesgbl. No. 136.		
Poland.....		Treaty. Commerce.....	17 Mar., 1920	.....
		German, State Department dispatch No. 186, Vienna, 31 May, 1921.		
Rumania.....		Agreement. Commerce.....	14 Aug., 1920	.....
		French and German, Bundesgbl. No. 40.		
Serb-Croat-Slovene State.		Treaty. Commerce.....	27 June, 1920	.....
		German, Bundesgbl. No. 14.		

⁷ See p. 290, note 40.⁸ See p. 176, note 16; p. 187, note 20; and pp. 20-21.

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Treaties with—	No.	Description.	Signed.	Page.
America, United States of.		Treaty. Commerce and navigation. English, U. S. Tr. I: 29.	27 Aug., 1829
		Convention. Property and consular English, U. S. Tr. I: 33; English and German, Martens 43: 154.	8 May, 1848	.....
		Convention. Consular. English, U. S. Tr. I: 39; Martens 51: 44.	11 July, 1870	.....
		Convention. Trade-marks. English, U. S. Tr. I: 47; Martens 51: 50.	25 Nov., 1871	.....
		Convention. Copyright (Hungary). English, U. S. Tr. III: 17; Martens 94: 451; B. F. S. P. 105: 1024; English and Hungarian, U. S. T. S. No. 571.	30 Jan., 1912	.....
Belgium ⁹		Convention. Joint-stock companies. French, Belgium Tr. 1900: 50.	25 June, 1866	.....
		Declaration. Trade-marks. French, Belgium Tr. 1908: 51; Martens 56: 683.	12 Jan., 1880	.....
		Convention. Commerce, etc. (Congo). French, Martens 60: 373; B. F. S. P. 75: 991.	24 Dec., 1884	.....
	66	Treaty. Commerce and navigation.	12 Feb., 1906	187
Brazil		Agreement. Trade-marks. French and German, Martens 65: 598.	28 Aug., 1886	.....
Bulgaria		Exchange of notes. Commerce. French, Martens 91: 540; B. F. S. P. 100: 813.	{ 6 Jan., 1907 18 Feb., 1907 }	.....
		Convention. Consular. French and German, Martens 93: 523; French, B. F. S. P. 104: 695.	31 May, 1911	.....
China ⁹	67	Treaty. Commerce and navigation.	2 Sept., 1869	189
Denmark	68	Convention. Commerce and navigation.	14 Mar., 1887	191
		Convention. Trade-marks. French and German, Martens 65: 717.	9 Feb., 1888	.....
Egypt ⁹	69	Convention. Commerce.	16 Aug., 1890	192
Ethiopia (Abyssinia).	70	Treaty. Friendship and commerce.	21 Mar., 1905	194
France ⁹		Convention. Copyright. French, France Tr. I: 294.	11 Dec., 1866	.....
		Convention. Consular. French, France Tr. I: 299; B. F. S. P. 56: 266.	.....do.....	.....
		Convention. Property. French, France Tr. I: 305; B. F. S. P. 58: 1340.	.....do.....	.....
	71	Convention. Commerce.	18 Feb., 1884	194
	72	Treaty. Navigation.	9 Apr., 1884	195
		Declaration. Relations in Tunis. French, France Tr. I: 320; B. F. S. P. 88: 716; Martens 63: 356; Clercq 20: 596.	20 July, 1896	.....
Germany		Convention. Importation of medicines. German, Martens 59: 501.	30 Sept., 1882	.....
		Convention. Commerce and customs. German, Hdv. 1906: 568.	6 Dec., 1891	.....
		Convention. Patents. German, Martens 67: 930; Neumann, N. S. 15: 285.	.....do.....	.....
		Convention. Copyright. English, B. F. S. P. 92: 348; German, Martens 80: 290; Neumann, N. S. 19: 263.	30 Dec., 1899	.....
		Agreement. Additional to convention of 1891. German, Hdv. 1906: 568.	25 Jan., 1905	.....
		Convention. Sanitary. German, Martens 85: 528; Neumann, N. S. 21: 190; French and German, Descamps et Renault; 1905: 744.	.....do.....	.....
		Declaration. Additional to agreement of 25 Jan., 1905. French and German, Descamps et Renault 1905: 744.	28 Feb., 1905	.....
		Convention. Industrial property. German, Martens 89: 632; English, B. F. S. P. 101: 666.	17 Nov., 1908	.....
Great Britain ⁹		Treaty. Navigation. English, Hdb. 1912: ii; English and German, B. F. S. P. 58: 11.	30 Apr., 1868	.....
	73	Treaty. Commerce.	5 Dec., 1876	196
		Protocol. Interpretive of Article IV of treaty of 1876. English, Hdb. 1912: 17; English, German, and Hungarian, B. F. S. P. 67: 36.	.....do.....	.....
	with 73	Declaration. Duration of treaty of 1876.	26 Nov., 1877	.....
		Declaration. Commercial travelers' samples. English, Hdb. 1912: 19; B. F. S. P. 78: 6; English and German, Martens 63: 539.	15 Feb., 1887	.....
		Exchange of notes. Trade-marks in Morocco. French, Hdb. 1912: 20; English and French, B. F. S. P. 95: 57.	{ 13 Feb., 1900 16 Feb., 1900 }	.....
		Exchange of notes. Consular jurisdiction in Zanzibar. English, Martens 93: 238; B. F. S. P. 101: 232.	{ 8 May, 1907 11 May, 1907 }

⁹ See p. 187, note 20.

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		Declaration. Joint-stock companies.....	24 Oct., 1888
		French and Greek, Greece Tr. 1912: 187.	
		Exchange of notes. Trade-marks.....	1 Sept., 1894
		French and Greek, Greece Tr. 1912: 189.	
Italy ⁹		Declaration. Prevention of smuggling.....	{ 26 Apr., 1870
		French, Italy Tr. 1911, I: 15.	{ 29 Apr., 1870
		Convention. Consular.....	15 May, 1874
		French, Martens 51: 352.	
		Declaration. Joint-stock companies.....	{ 24 Jan., 1877
		French, Martens 52: 360.	{ 3 Feb., 1877
		Convention. Copyright.....	8 July, 1890
		French, Martens 68: 717; Italy Tr. 12: 363; French and German, Neumann N. S. 14: 72.	
	75	Treaty. Commerce and navigation.....	11 Feb., 1906	198
		Convention. Sanitary.....	do.....
		French, Italy Tr. 1911, I: 103; B. F. S. P. 99: 593; French and German, Martens 85: 86; Neumann, N. S. 22: 58.	
		Exchange of notes. Importation of medicinal products	23 Dec., 1908
		French, Italy Tr. 1911, I: 113; B. F. S. P. 101: 425.	
Japan ⁹	76	Treaty. Commerce and navigation.....	28 Oct., 1912	203
		Declaration. Application of Article XII of treaty of 1912 to Liechtenstein.	17 June, 1913
		French, Japan Tr. 1918: 506.	
Liberia.....	77	Treaty. Commerce and navigation.....	1 Sept., 1866	206
Montenegro.....	78	do.....	6 Feb., 1911	207
Morocco ⁹	79	Treaty. Peace and commerce.....	19 Mar., 1830	207
Netherlands.....	80	Treaty. Friendship and commerce.....	26 Mar., 1867	208
		Declaration. Trade-marks.....	3 Sept., 1886
		French and German, Martens 63: 706.	
	with 80	Convention. Commercial travelers' samples.....	12 Dec., 1888	209
Norway.....	81	Treaty. Commerce and navigation.....	3 Nov., 1873	209
		Declaration. Trade-marks.....	20 Sept., 1889
		French, Sweden Tr. 1910: 546; Norwegian, Norway Tr. 1914: 270.	
	with 81	Declaration. Commercial travelers' samples.....	25 Apr., 1892	210
Persia.....	82	Treaty. Commerce and navigation.....	17 May, 1857	210
Portugal.....		Convention. Consular.....	9 Jan., 1873
		French, Martens 51: 467.	
	83	Exchange of notes. Commerce.....	8 July, 1911	212
Rumania ⁹	84	Convention. Commerce.....	21 Dec., 1893	213
		Convention. Trade-marks.....	28 Jan., 1893
		French, Martens 77: 197; B. F. S. P. 85: 752.	
		Convention. Copyright.....	2 Mar., 1908
		French and German, Martens 89: 223; French, B. F. S. P. 101: 669.	
		Exchange of notes. Copyright.....	{ 7 Mar., 1908
		French and German, Martens 89: 226.	{ 16 Mar., 1908
	with 84	Convention. Additional to convention of 1893.....	23 Apr., 1909	213
Russia.....		Declaration. Trade-marks.....	5 Feb., 1874
		French, Martens 91: 505.	
	85	Treaty. Commerce and navigation.....	15 Feb., 1903	215
Serbia ⁹		Convention. Sanitary.....	6 May, 1881
		French, Martens 58: 321.	
	86	Convention. Commerce and navigation.....	27 July, 1910	219
		Convention. Consular.....	30 Mar., 1911
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⁹ See p. 187, note 20.

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¹⁰ See p. 176, note 16.¹¹ See p. 187, note 20.¹² See p. 391, note 82.¹³ See p. 546, note 128.

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¹³ See p. 546, note 128.¹⁴ See p. 623, note 152.

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¹⁵ See p. 757, note 195.¹⁶ See p. 771, note 197.

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¹⁷ See p. 546, note 128.

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¹⁸ See p. 546, note 128.

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¹⁹ See p. 391, note 82.²⁰ See p. 290, note 40.

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²¹ See p. 176, note 16.²² See p. 187, note 20.

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²³ See p. 546, note 128.

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²⁴ See p. 757, note 195.

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²⁵ See p. 187, note 20.²⁶ See p. 546, note 128.²⁷ See p. 757, note 195.

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		Agreement. Transportation, etc.....	2 Aug., 1920
		German, Bundesgbl., No. 442.		
		Agreement. Deposits.....	10 Aug., 1920
		German, Bundesgbl., No. 391.		
		Treaty. Commerce.....	4 May, 1921
		English (transl.), State Department dispatch, Vienna, 11 July, 1921. (Provisions as to handling of permits for export and import were put into operation 1 June, 1921.)		
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		English (transl.), State Department dispatch No. 2136, Paris, 11 Feb., 1921.		
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		German, Reichsgbl. 1920: 2240.		
		Agreement. Application of article 297 of treaty of Versailles.	do.
		German, Reichsgbl. 1920: 2279.		
Italy.....		Treaty. Commerce and navigation.....	23 Mar., 1921
		English (transl.), State Department dispatch, Prague, 4 May, 1921.		
Rumania.....		Agreement. Commerce.....	23 Apr., 1921
		English (transl.), State Department dispatch No. 523, Prague, 10 June, 1921.		
Serb-Croat-Slovene State.		Convention. Commerce.....	18 Oct., 1920
		English (transl.), State Department dispatch No. 435, Prague, 25 Feb., 1921.		
Switzerland ³⁰	89	Treaty. Commerce.....	9 Mar., 1906	225

²⁸ See p. 176, note 16. ²⁹ See p. 546, note 128. ³⁰ Concluded between Austria-Hungary and Switzerland.

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		English, U. S. Tr. I: 396; B. F. S. P. 99: 1039; English and French, Martens 85: 278.		
		Agreement. Trade-marks in China.....	(19 Mar., 1907	}.....
		English, U. S. Tr. I: 399.	(25 Mar., 1907	
		Convention. Danish West Indies.....	4 Aug., 1916	
		English and Danish, U. S. T. S. No. 629; English, A. J. I. L., Supp. 11: 53.		
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		French, Martens 62: 494.		
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		Convention. Commerce, etc. (Congo.).....	23 Feb., 1885
		French, B. F. S. P. 76: 586; Martens 60: 382.		
	96	Treaty. Commerce and navigation.....	18 June, 1895	233
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		French, Belgium Tr. 1908: 597; B. F. S. P. 100: 707; Martens 86: 785.		
		Convention. Consular.....	26 Aug., 1909
		French, B. F. S. P. 102: 351; Martens 90: 583; English, A. J. I. L., Supp. 6: 244.		
Brazil.....		Declaration. Trade-marks.....	26 Apr., 1881
		Portuguese, Brazil Act. Diplom. 2: 103; Martens 62: 548.		
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		French, B. F. S. P. 102: 194; Martens 91: 541.		
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		Declaration. Trade-marks.....	7 Apr., 1880
		French, France Tr. I: 699; Martens 56: 491.		
		Declaration. Certificates of origin.....	27 Oct., 1892
		French, France Tr. I: 702.		
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		Declarations. Renunciation by Denmark of capitulations in Morocco.	12 May, 1915
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		German, Hdv. 1906: 188; Martens 24: 72.		
		Agreement. Commerce (Lübeck).....	8 July, 1840
		German, Hdv. 1906: 185.		
		Declaration. Harbor dues (Lübeck).....	14 Oct., 1840
		German, Hdv. 1906: 186.		
		Declaration. Commerce and navigation (Oldenburg).....	31 Mar., 1841
		German, Hdv. 1906: 183; French, Martens 31: 29; B. F. S. P. 29: 231.		
		Treaty. Commerce and navigation (Mecklenburg-Schwerin).....	25 Nov., 1845
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		Agreement. Execution of article 6 of general convention of 14 Mar., 1857. (Bremen). German, Hdv. 1906: 190.	25 Jan., 1858
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	151	Convention. Commerce.	28 Nov., 1879
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	with 149 and 150	Exchange of notes. Trade-marks in China. English, Hdb. 1912: 278; MacMurray I: 546.	23 Dec., 1920
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		Agreement. Aerial navigation. English and Danish, L. N. T. S. 2: 249	23 Dec., 1920
		Agreement. Wrecks. English, G. B. T. S. 1921, No. 1, Cmd. 1223.	(25 Dec., 1843 31 Oct., 1846 1 May, 1864 17 Sept., 1902 3 Mar., 1907	{ 476 477 478
		Agreement. Suppression of capitulations in Egypt. English, G. B. T. S., 1921, No. 15, Cmd. 1498.	12 Feb., 1912	479
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Italy	263	do.	1 May, 1860	483
	with 263	Article. Additional to treaty of 1864. Declaration. Industrial models. French, B. F. S. P. 101: 282; Martens 86: 757.	1 Oct., 1912
Japan	264	Treaty. Commerce and navigation.	12 Feb., 1912	479
	265	Convention. Customs.	do.	482
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Netherlands		Treaty. Commerce and navigation. French, B. F. S. P. 4: 960.	15 June, 1701
		Declaration. Duration of treaty of 1701. French, Lagemans 1: 60; B. F. S. P. 4: 959.	10 July, 1817
		Declaration. Trade-marks. French, Martens 58: 167.	14 Jan., 1881
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		Declaration. Modifying treaty of 1826. French, Sweden Tr. 1910: 631; Norwegian, Norway Tr. 1914: 53.	19 Jan., 1865
		Declaration. Trade-marks. French, Sweden Tr. 1910: 647; Norwegian, Norway Tr. 1914: 54.	21 Sept., 1894
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		Declaration. Industrial models. French, B. F. S. P. 99: 1037; Martens 84: 699.	13 Sept., 1906
		Convention. Property. French, B. F. S. P. 107: 744.	5 May, 1913
		Convention. Copyright. French, B. F. S. P. 109: 914.	18 Feb., 1915

²¹ See p. 757, note 195.

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		Treaty. Jurisdiction over Danish subjects in Siam.....	15 Mar., 1913
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		French, Sweden Tr. 1910: 623.	
		Convention. Execution of general convention of 14 Mar., 1857 (Sound and belt dues).	21 Apr., 1857
		French, Sweden Tr. 1910: 624.	
		Declaration. Coasting trade.....	16 Apr., 1858
		French, B. F. S. P. 104: 911; Sweden Tr. 1910: 625.	
		Declaration. Modifying treaty of 1826.....	19 Jan., 1865
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		Convention. Fisheries.....	14 July, 1899
		Danish and Swedish, Martens 91: 577; Swedish, Sweden Tr. 1910: 652.	
		Declaration. Modifying Article IV of convention of 1899	23 Apr., 1902
		French, B. F. S. P. 104: 916; Swedish, Sweden Tr. 1910: 655.	
		Declaration. Coasting trade.....	11 June, 1904
		Swedish, Sweden Tr. 1910: 658.	
		Declaration. Modifying convention of 1899.....	5 Oct., 1907
		Danish and Swedish, Martens 91: 586; Swedish, Sweden Tr. 1910: 660.	
		Declaration. Industrial models.....	19 June, 1908
		English, B. F. S. P. 101: 962; Swedish, Sweden Tr. 1910: 661.	
		Declaration. Additional to declaration of 1873.....	12 Oct., 1911
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		Treaty. Commerce.....	1 May, 1841
		French, B. F. S. P. 54: 1048.	
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		French, France Tr. I: 709; Martens 65: 824; B. F. S. P. 73: 563.	
		Declaration. Industrial property.....	9 Sept., 1882
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		Convention. Consular.....	25 Oct., 1882
		French, France Tr. I: 716; B. F. S. P. 73: 570.	
Haiti.....		Treaty. Peace, friendship, commerce, and navigation.....	9 Nov., 1874
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		French, Martens 74: 121; B. F. S. P. 83: 928.	
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		Spanish, Martens 64: 38; English, B. F. S. P. 74: 118.	

³² See p. 771, note 197.^a Terminated. See Appendix.

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		Convention. Gold clearance fund. International High Commission, 1919. (Not yet ratified by either country, 1 Oct., 1921.)	25 May, 1920	
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France		Convention. Copyright. French, France Tr. I: 737; B. F. S. P. 90: 1172.	9 May, 1898	
	278	Convention. Commerce and navigation.	30 May, 1898	501
		Convention. Trade-marks. French, France Tr. I: 746; B. F. S. P. 92: 1018.	17 Mar., 1900	
		Protocol. Additional to convention of 1898 French, France Tr. I: 749; B. F. S. P. 98: 456.	1 July, 1905	
Germany	279	Treaty of friendship.	28 Mar., 1887	501
Great Britain		Convention. Trade-marks. English, Hdb. 1912: 281; B. F. S. P. 84: 75.	26 Aug., 1892	
Italy	280	Treaty. Establishment, commerce, and navigation.	12 Aug., 1900	502
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Japan	281	Treaty. Friendship, commerce, and navigation.	26 Aug., 1918	502
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Salvador		do. English, Martens 74: 16; B. F. S. P. 82: 686.	29 Mar., 1890	
Spain		Convention. Commerce. Spanish, Spain Tr. 3: 216.	15 May, 1861	
		Convention. Copyright. English, B. F. S. P. 98: 970; Spanish, Martens, 82: 298.	30 June, 1900	
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Austria-Hungary ³³	69	Convention. Commerce.	16 Aug., 1890	192
Belgium	98	Convention. Commerce and navigation.	24 June, 1891	236
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France		Convention. Commerce and navigation. French, France Tr. II: 577; B. F. S. P. 97: 892; Martens 84: 426; Descamps et Renaut 1902: 705.	26 Nov., 1902	
Germany ³⁵	204	Convention. Commerce.	19 July, 1892	375
	with 204	Convention. Additional to treaty of 1892.	17 Mar., 1910	375
Great Britain	152	Convention. Commerce and navigation.	29 Oct., 1889	305
		Agreement. Sudan. English, B. F. S. P. 91: 19; Hertslet 21: 356.	19 Jan., 1899	
	with 152	Agreement. Application to certain British colonies of treaty of 1889.	16 Dec., 1907	307
Greece	205	Convention. Commerce.	4 June, 1906	378
Italy	206	Convention. Commerce and navigation.	14 July, 1906	381
Montenegro	207	Exchange of notes. Commerce and navigation.	30 Mar., 1905	384
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Norway		Declaration. Customs. Norwegian, Norway Tr. 1914: 249.	12 Feb., 1890	
Russia ³⁶	208	Treaty. Commerce and navigation.	13 Mar., 1909	385
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Turkey		Agreement. Customs. French, B. F. S. P. 82: 752.	18 Dec., 1890	
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Great Britain		Agreement. Commerce. English, G. B. T. S. 1920, No. 19, Cmd. 1097.	20 July, 1920	
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³³ See p. 187, note 20.³⁴ See p. 391, note 82.³⁵ See p. 546, note 128.³⁶ See p. 757, note 195.

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		French, France Tr. II: 255.		
		Treaty. Friendship and commerce.....	10 Jan., 1908
		French, France Tr. II: 256; B. F. S. P. 101: 997; Martens 52: 833.		
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		Exchange of notes. Import duties in Ethiopia.		
		English, Hdb. 1912: 301; B. F. S. P. 102: 75; Martens 90: 509.	13 Apr., 1909
			12 May, 1909
Italy.....		Treaty. Commerce and friendship.....	21 July, 1906
		English, B. F. S. P. 99: 1069; Italian, Italy Tr. 1911: I: 306; Martens 86: 488.		
		Notes. Commerce between Ethiopia and Somalia.....	22 June, 1908
		French and Italian, B. F. S. P. 102: 418.	25 June, 1903

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	21	Convention. Consular.....	23 Feb., 1853	127
		Convention. Trade-marks.....	16 Apr., 1869
		English, U. S. Tr. I: 534; French, France Tr. I: 245.		
		Agreement. Relations in Tunis.....	15 Mar., 1904
		English, U. S. Tr. I: 544; B. F. S. P. 97: 954; French, France Tr. I: 250; French and English, Martens 84: 513.		
		Agreement. Trade-marks in China.....	3 Oct., 1905
		English, U. S. Tr. I: 545; MacMurray I: 538.		
		Exchange of notes. Copyright in China.....	27 Dec., 1911
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		Agreement. Execution of treaty of St. Germain.....	18 Sept., 1920
		German, Bundesgbl. No. 20.		
		Agreement. Application of Part X of treaty of St. Germain to Alsace-Lorraine.	7 Feb., 1921
		German, Bundesgbl. No. 189.		
Austria Hungary ⁸⁸		Convention. Copyright.....	11 Dec., 1866
		French, France Tr. I: 294.		
		Convention. Consular.....do.....
		French, France Tr. I: 299; B. F. S. P. 56: 266.		
		Convention. Property.....do.....
		French, France Tr. I: 305; B. F. S. P. 58: 1340.		
	71	Convention. Commerce.....	18 Feb., 1884	194
	72	Treaty. Navigation.....	9 Apr., 1884	195
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		French, France Tr. I: 356.		
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		French, B. F. S. P. 76: 578; Martens 60: 377.		
		Declaration. Spirituous liquors.....	17 Nov., 1888
		French, Belgium Tr. 1908: 602.		
	100	Agreement. Commerce.....	15 Jan., 1892	238
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		French, France Tr. I: 429.	30 May, 1895	
		Declaration. Relations in Tunis.....	31 May, 1895	
		French, France Tr. I: 433; B. F. S. P. 89: 615; Martens 73: 430; Clercq 20: 628.	2 Jan., 1897

⁸⁷ See p. 176, note 16.⁸⁸ See p. 187, note 20.

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		Agreement. Commercial travelers..... French, France Tr. I: 457.	{ 27 Aug., 1901 1 Nov., 1901 }
		Declaration. Judicial acts..... French, France Tr. I: 491; B. F. S. P. 106: 890.	{ 2 Oct., 1912 }
		Declaration. Renunciation of capitulations in Mo- rocco. French, France Tr. I: 495.	22 Sept., 1915
Bolivia.....		Declaration. Copyright..... French, France Tr. I: 503.	8 Sept., 1887
		Convention. Consular..... French, France Tr. I: 503; B. F. S. P. 89: 1006.	5 Aug., 1897
		Declaration. Renunciation of capitulations in Mo- rocco. French, Bull. Of. de l'Empire Chérifien 13 Sept. 1915.	21 June, 1915
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		Declarations. Commerce..... French, France Tr. I: 514; B. F. S. P. 97: 680; Clercq 22: 591; 597; Portuguese, Brazil Act. Diplom. 2: 280.	{ 26 June, 1900 30 June, 1900 }
		Exchange of notes. Renewing declarations of 1900. (These had been denounced by France 15 June, 1903.) Portuguese, Brazil Act. Diplom. 2: 320.	11 Jan., 1904
		Convention. Copyright..... French, France Tr. I: 518.	15 Dec., 1913
Bulgaria ³⁹		Treaty. Commerce and navigation..... French, B. F. S. P. 99: 883; Martens 85: 3; France Tr. I: 522.	13 Jan., 1906
		Protocol. Explanatory of treaty of 1906..... French, France Tr. I: 551; Martens 93: 386.	26 May, 1906
		Agreement. Importation of silk-worm eggs..... French, France Tr. I: 553; Martens 93: 389.	12 Oct., 1906
		Convention. Trade-marks..... French, B. F. S. P. 100: 814; France Tr. I: 555.	5 Jan., 1907
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		Treaty. Peace, friendship, and commerce..... French, France Tr. I: 598; B. F. S. P. 76: 239; Herts- let's China Tr. I: 296; English and French, Mar- tens 62: 645.	9 June, 1885
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		Convention. Supplementary to convention of 1887..... French, B. F. S. P. 87: 525; Martens 73: 96; Clercq 20: 241; Hertslet's China Tr. I: 323; France Tr. I: 623.	20 June, 1895
		Exchange of notes. Lease of Kuangchouwan, etc..... French, Hertslet's China Tr. I: 327; France Tr. I: 628; English, MacMurray I: 124.	{ 9 Apr., 1898 10 Apr., 1898 }
		Convention. Lease of Kuangchouwan..... English, Rockhill: 55; MacMurray I: 128; French, Hertslet's China Tr. I: 329.	27 May, 1898
		Arrangement. Yunnan Railroad..... English, MacMurray I: 453; French, France Tr. I: 629.	29 Oct., 1903
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³⁹ See p. 391, note 82.

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		Declaration. Certificates of origin.....	27 Oct., 1892	
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⁴⁰ See p. 546, note 128.⁴¹ In force, J. O. 25 Mar., 1921: 767.

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		Exchange of notes. Aerial navigation..... French, France Tr. I: 154; English, B. F. S. P. 107: 778; German, Martens 92: 643.	26 July, 1913
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⁴⁰ See p. 546, note 128.⁴¹ In force, J. O. 25 Mar., 1921: 767.

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		Declaration. Joint-stock companies and industrial property..... French, France Tr. II: 717; B. F. S. P. 78: 722.	16 Mar., 1887
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⁴² See p. 623, note 152.^a To terminate 1 Mar., 1922. See Appendix.

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		Convention. Trade-marks, etc., in China..... French, France Tr. III: 2; B. F. S. P. 102: 422; Martens 90: 105; Japan Tr. 1918: 213; English, MacMurray I: 798.	14 Sept., 1909
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⁴³ Concluded with Colombia.⁴⁴ See p. 757, note 195.⁴⁵ See p. 771, note 197.

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		Convention. Commerce and establishment.....	23 Feb., 1882
		French, France Tr. III: 428; B. F. S. P. 73: 395; Martens 59: 59.		
		Declaration. Relations in Tunis.....	14 Oct., 1896
		French, France Tr. III: 484; B. F. S. P. 88: 743; Martens 73: 386; Clercq 20: 626.		
		Declaration. Additional to agreement of 1877.....	(30 July, 1897 18 Aug., 1897)
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		Arrangement. Frontier pasturage.....	23 Oct., 1912
		French, France Tr. III: 543; B. F. S. P. 107: 822.		
		Agreement. Relations in Morocco.....	11 June, 1914
		German, Bundesbl. 28 Apr. 1920: 290.		
		Agreement. Aerial navigation.....	9 Dec., 1919
		French, J. O. 21 Mar. 1920: 4551; English and French, L. N. T. S. I: 29.		
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		Notes. French importations into Turkey..... French, France Tr. III: 605.	17 Jan., 1890 30 Jan., 1890 21 Mar., 1890 14 Apr., 1890
		Protocol. Turkish customs duties..... French, B. F. S. P. 100: 575; Martens 86: 790; Herts- let 25: 1178.	25 Apr., 1907
		Agreement. Political, military, and economic..... French, L'Europe Nouvelle, 26 Mar. 1921: 407.	9 Mar., 1921
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Venezuela		Declaration. Trade-marks..... French, France Tr. III: 616.	3 May, 1879
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		Treaty. Amity and commerce (Prussia)..... English, U. S. Tr. II: 1486; English and French, B. F. S. P. 15: 882; 886.	11 July, 1799
		Convention. Commerce (Hanseatc Republics)..... English, U. S. Tr. I: 901; German, Hdv. 1906: 1292; French and English, Martens 15 (pt. 1): 362.	20 Dec., 1827
		Treaty. Commerce and navigation (Prussia)..... English, U. S. Tr. II: 1496.	1 May, 1828
		Treaty. Commerce (Mecklenburg-Schwerin)..... English, U. S. Tr. I: 1074; German, Hdv. 1906: 1277; Martens 39: 643.	9 Dec., 1847
		Convention. Consular..... English, U. S. Tr. I: 550; German, Reichsgbl. 1872: 95.	11 Dec., 1871
		Agreement. Copyright..... English, U. S. Tr. I: 557; B. F. S. P. 84: 1186; English and German, Martens 67: 934.	15 Jan., 1892
		Agreement. Trade-marks in Morocco..... English, U. S. Tr. I: 559.	28 Sept., 1901 8 Oct., 1901
		Agreement. Trade-marks in China..... English, U. S. Tr. I: 560; MacMurray I: 544.	6 Dec., 1905
		Convention. Patents, etc..... English, U. S. Tr. I: 578; B. F. S. P. 102: 443; A. J. I. L., Supp. 3: 278.	23 Feb., 1909
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		Convention. Copyright..... English, B. F. S. P. 92: 348; German, Martens 80: 290; Neumann, N. S. 19: 263.	30 Dec., 1899
		Agreement. Additional to treaty of 1891..... German, Hdv. 1906: 568.	25 Jan., 1905
		Convention. Sanitary..... German, Martens 85: 528; Neumann, N. S. 21: 190; French and German, Descamps et Renault, 1905: 744.	do
		Declaration. Additional to agreement of 25 Jan., 1905.. French and German, Descamps et Renault 1905: 744.	28 Feb., 1905

⁴⁶ Concluded with Muscat.⁴⁷ See p. 546, note 128.

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		Treaty. Navigation (Prussia)..... French, Belgium Tr. 1900: 327.	28 Mar., 1863
		Treaty. Commerce and navigation (Bremen)..... French, Belgium Tr. 1900: 64.	11 May, 1863
		Treaty. Commerce and navigation (Lübeck)..... French, Belgium Tr. 1900: 233.	do
		Treaty. Commerce (Oldenburg)..... French, Belgium Tr. 1900: 280.	23 June, 1863
		Treaty. Commerce and navigation (Hamburg)..... French, Belgium Tr. 1900: 178.	24 June, 1863
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		Declaration. Trade-marks..... French, Belgium Tr. 1900: 21.	10 Sept., 1875
		Convention. Industrial property..... French, Belgium Tr. 1900: 23.	12 Dec., 1883
		Convention. Commerce, etc. (Congo)..... English, B. F. S. P. 75: 354; Hdv. 1906: 377.	8 Nov., 1884
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		Agreement. Frontier traffic..... French, Belgium Tr. 1908: 549; B. F. S. P. 92: 788; French and German, Martens 79: 503.	7 Apr., 1900
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		Agreement. Commercial travelers' samples..... French, Belgium Tr. 1908: 547.	10 June, 1908
		Agreement. Spirituous liquors..... French and German, Martens 83: 299.	27 June, 1911
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China ⁴⁷		Treaty. Friendship, commerce, and navigation (Customs union)..... German, Hdv. 1906: 84.	2 Sept., 1861
		Convention. Commerce and navigation..... English, B. F. S. P. 71: 157; Hertsllet's China Tr. I: 349; German, Hdv. 1915: 106.	31 Mar., 1880
		Treaty. Lease of Kiaochow..... English, B. F. S. P. 95: 1005; Rockhill: 45; Hertsllet's China Tr. I: 350; German, Martens 80: 326; Hdv. 1915: 148.	6 Mar., 1898
		Agreement. Tsingtau customs..... English, B. F. S. P. 98: 1049; Rockhill: 32; MacMurray I: 189.	17 Apr., 1899
		Agreement. Inland navigation..... English, MacMurray I: 191; B. F. S. P. 98: 1063.	17 Apr., 1904
		Agreement. Amending agreement of 17 Apr., 1899..... English, MacMurray I: 192; B. F. S. P. 99: 955; Rockhill: 46.	1 Dec., 1905
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		Agreement. Trade..... German, Reichsgbl. 1920: 2240.	29 June, 1920
		Agreement. Application of article 297 of treaty of Versailles. German, Reichsgbl. 1920: 2279.	do

⁴⁷ See p. 546, note 128.

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		Declaration. Harbor dues (Lübeck)..... German, Hdv. 1906: 186.	14 Oct., 1840
		Declaration. Commerce and navigation (Oldenburg).. German, Hdv. 1906: 183; Martens 31: 29; French, B. F. S. P. 29: 231.	31 Mar., 1841
		Treaty. Commerce and navigation (Mecklenburg- Schwerin). German, Hdv. 1906: 180.	25 Nov., 1845
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		Convention. Sound and belt dues (Prussia)..... German, Hdv. 1906: 179; French, Martens 45 (pt. 2): 362.	25 Apr., 1857
		Agreement. Execution of article 6 of general conven- tion of 14 Mar. 1857 (Bremen). German, Hdv. 1906: 190.	25 Jan., 1858
		Declaration. Coasting trade (North German union) ... German, Hdv. 1906: 160.	17 Feb., 1868 23 Feb., 1868
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Ethiopia (Abys- sinia).....	284	Treaty. Friendship and commerce.....	7 Mar., 1905	507
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		Treaty. Navigation (Customs union)do.....
		French, France Tr. I: 202; German, Hdv. 1906: 200.		
		Protocol to treaties of 1862 (Customs union)	14 Dec., 1864
		French, France Tr. I: 215; B. F. S. P. 57: 490.		
		Treaty. Commerce and navigation (Hanseatic Re- publics). French, France Tr. I: 226; B. F. S. P. 55: 352; German, Hdv. 1906: 211.	4 Mar., 1865
		Treaty. Commerce and Navigation (Mecklenburg- Schwerin). French, France Tr. I: 189; B. F. S. P. 55: 367; German, Hdv. 1906: 207.	9 June, 1865
		Accession to treaty of 9 June, 1865, signed by Mecklen- burg-Schwerin (Mecklenburg-Strelitz). French, France Tr. I: 189 (note).	24 Aug., 1865 19 Sept., 1865
		Treaty of peace..... French, France Tr. I: 4; Clercq. 10: 472; B. F. S. P. 62: 77; Martens 69: 688; German, Hdv. 1906: 192.	10 May, 1871
		Convention. Additional to treaty of 10 May, 1871 ⁴⁸	12 Oct., 1871
		French, France Tr. I: 9; B. F. S. P. 62: 88; French and German, Martens 70: 786.		
		Declaration. Interpretive of article 2 of convention of 12 Oct. 1871 (trade-marks). French, France Tr. I: 32; B. F. S. P. 63: 1016.	8 Oct., 1873
		Protocol. Possessions in West Africa, etc..... French, France Tr. I: 64; B. F. S. P. 76: 303; Clercq. 15: 627; French and German, Martens 61: 497; German, Hdv. 1906: 216.	24 Dec., 1885
		Exchange of notes. Relations in Madagascar and Zanzibar. French, France Tr. I: 69; B. F. S. P. 82: 1085; Clercq. 18: 681; German, Hdv. 1906: 218.	17 Nov., 1890
		Declaration. Relations in Tunis..... French, France Tr. I: 78; B. F. S. P. 88: 743; Clercq. 20: 627; French and German, Martens 73: 402; German, Hdv. 1906: 1157.	18 Nov., 1896
		Convention. Commercial travelers..... French, France Tr. I: 84; B. F. S. P. 95: 774; French and German, Martens 81: 362; German, Hdv. 1906: 195.	2 July, 1902
		Convention. Copyright..... French, France Tr. I: 91; B. F. S. P. 101: 314; French and German, Martens 86: 774.	8 Apr., 1907

⁴⁷ See p. 546, note 128.⁴⁸ In force, J. O., 25 Mar., 1921: 767.

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		Agreement. Sanitary. French, France Tr. I: 108; French and German, Martens 93: 316.	6 Oct., 1911 15 Nov., 1911
		Convention. Concerning Morocco. French, France Tr. I: 111; B. F. S. P. 104: 948; German, Martens 90: 643; English, A. J. I. L. Supp. 6: 113.	4 Nov., 1911	.....
		Convention. Possessions in equatorial Africa. French, France Tr. I: 118; B. F. S. P. 104: 956; French and German, Martens 90: 651; English, A. J. I. L. Supp. 6: 115; German, Hdv. 1915: 8.	do.	.....
		Exchange of notes. Aerial navigation. French, France Tr. I: 154; English, B. F. S. P. 107: 778; German, Martens 92: 643.	26 July, 1913	.....
		Agreement. Spirituous liquors ⁴⁸ . French, France Tr. I: 157; B. F. S. P. 107: 783; German, Hdv. 1915: 242.	13 Jan., 1914	.....
Great Britain ⁴⁷		Declaration. Commercial travelers' samples (Customs union). English, Hdb. 1912: 435; English and German, B. F. S. P. 59: 7.	1 Apr., 1869	.....
		Declaration. Joint-stock companies. English Hdb. 1912: 436; English and German, B. F. S. P. 65: 52; Martens 50: 239.	27 Mar., 1874	.....
		Arrangement. Protectorates in Africa. English, Hdb. 1912: 437.	16 May, 1885 2 June, 1885 10 June, 1885 16 June, 1885	.....
		Declaration. Trade and commerce (West Pacific). English, Hdb. 1912: 441.	10 Apr., 1886	.....
		Agreement. Modifying agreement of 1885. English, Hdb. 1912: 443.	5 May, 1893 19 May, 1893	.....
		Agreement. Relative to China. English, G. B. T. S. 1901, No. 1, Cd. 432; Rockhill: 62; Hertslet's China Tr. I: 591; MacMurray 1: 263.	16 Oct., 1900	.....
		Exchange of notes. Trade-marks in China. English, Hdb. 1912: 444; B. F. S. P. 99: 926; Hertslet's China Tr. I: 616; MacMurray 1: 574.	23 Mar., 1906 26 Mar., 1906	.....
		Exchange of notes. Consular jurisdiction (Zanzibar). English, Martens 93: 240; B. F. S. P. 101: 234.	25 Feb., 1907 15 Mar., 1907	.....
		Agreement. Supplementary to declaration of 1869 (Commercial travelers' samples). English, Hdb. 1912: 445; English and German, Martens 86: 927; B. F. S. P. 101: 190.	10 Mar., 1908	.....
		Declaration. Joint-stock companies. English, G. B. T. S. 1913: No. 5, Cd. 6681.	25 Mar., 1913	.....
		Agreement. Art. 297 of treaty of Versailles (Property, rights, and interests). English and German, G. B. T. S. 1921, No. 1, Cmd. 1111.	31 Dec., 1920	.....
Greece ⁴⁷		Convention. Consular. French and Greek, Greece Tr. 1912: 328.	26 Nov., 1881	.....
	315	Treaty. Commerce and navigation. French and Greek, Greece Tr. 1912: 368.	9 July, 1884	554
		Exchange of notes. Trade-marks. French and Greek, Greece Tr. 1912: 368.	1 June, 1894 5 June, 1894	.....
		Convention. Property ⁴⁹ . French, B. F. S. P. 103: 545; German and French, Martens 92: 814; French and Greek, Greece Tr. 1912: 392.	1 Dec., 1910	.....
		Exchange of notes. Commercial travelers' samples. French, B. F. S. P. 105: 637; German and French, Martens 92: 870; French and Greek, Greece Tr. 1912: 372.	24 Feb., 1911
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		Convention. Consular, extension to German Empire of agreement of 1868. German, Martens 48: 19.	17 Feb., 1872
		Declaration. Joint-stock companies. German, Hdv. 1906: 292.	8 Aug., 1873	.....

⁴⁷ See p. 546, note 128.⁴⁸ In force, J. O. 25 Mar. 1921: 767.⁴⁹ In force, Reichsgbl., 14 Feb. 1921: 149.

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		Convention. Importation of medicinal products..... French, Martens 51: 227.	11 Dec., 1873	
		Declaration. Trade-marks..... Dutch and German, Martens 58: 131.	28 Dec., 1881	
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		Treaty. Joint-stock companies..... English, B. F. S. P. 101: 340; German, Hdv. 1915: 74; Martens 86: 729.	11 Feb., 1907	
		Convention. Spirituous liquors..... German and Dutch, Martens 92: 307.	6 June, 1910	
		Exchange of notes. Commercial travelers' samples..... German and French, Martens 94: 902; French, B. F. S. P. 106: 1054.	9 Nov., 1912	
		Convention. Commerce..... German, Staatsbl. 1920, No. 681.	11 May, 1920	
Nicaragua ⁴⁷		Convention. Commercial and consular..... German, Hdv. 1906: 492; Spanish, Nicaragua Conv. Int. 1913: 27.	4 Feb., 1896	
		Protocol. Additional to treaty of 1896..... Spanish, Nicaragua Conv. Int. 1913: 45.	7 Apr., 1897	
		Exchange of notes. Duration of treaty of 1896..... Spanish, Nicaragua Conv. Int. 1913: 46.	19 Feb., 1906 20 Feb., 1906	
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		Treaty. Commerce and navigation (Bremen)..... German, Hdv. 1906: 550; Norwegian, Norway Tr. 1914: 254.	1 May, 1841	
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		Declaration. Commerce and navigation (Oldenburg).. German, Hdv. 1906: 542.	1 Apr., 1843	
		Treaty. Commerce (Mecklenburg-Schwerin)..... German, Hdv. 1906: 539.	10 Oct., 1846	

⁴⁷ See p. 546, note 123.

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		Exchange of notes. Coasting trade (Lübeck).....	13 Oct., 1856
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		Declaration. Coasting trade (Prussia).....	18 Feb., 1859
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		Declaration. Coasting trade (Oldenburg).....	12 Apr., 1859
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		Exchange of notes. Trade-marks in China.....	1 Feb., 1907
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		Agreement. German import duties on Russian sugar... French, B. F. S. P. 102: 928; French and German, Martens 86: 884.	20 Jan., 1908
		Convention. Copyright.....	28 Feb., 1913
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		Convention. Industrial models.....	3 July, 1886
		German, Martens 62: 282.		
	332	Treaty. Commerce and customs.....	21 Aug., 1892	590
		Convention. Trade-marks.....	do.
		German, Martens 69: 905.		
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		Convention. Consular (Extension to German Empire of agreement of 1870).....	12 Jan., 1872
		English, B. F. S. P. 62: 172.		
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		German, Hdv. 1906: 966.		
		Agreement. Copyright.....	23 May, 1881
		German, Martens 56: 741.		
	335	Treaty. Commerce and customs.....	10 Dec., 1891	595
		Agreement. Patents and trade-marks.....	13 Apr., 1892
		German, Martens 71: 68; 514.		
		Agreement. Bisingen.....	21 Sept., 1895
		German, Hdv. 1906: 969.		
		Treaty. Frontier customs.....	5 Dec., 1896
		German, Martens 73: 421.		
		Convention. Modifying agreement of 1892.....	26 May, 1902
		German, Martens 81: 348.		
	with 335	Treaty. Additional to treaty of 1891.....	12 Nov., 1904	595
		Agreement. Establishment.....	13 Nov., 1909
		French, B. F. S. P. 102: 439; Martens 90: 608.		

⁴⁷ See p. 546, note 128.⁵⁰ See p. 757, note 195.⁵¹ See p. 771, note 197.⁵² Treaty of commerce of 2 May, 1911, between Germany and Sweden denounced by Sweden, terminated 16 Mar., 1921. (L. N. T. S. 2: 263.)

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		Treaty. Commerce, friendship and navigation. German, Hdv. 1906: 1158.	26 Aug., 1890	
		Protocol. Turkish customs duties. French, B. F. S. P. 100: 575; Martens 86: 790; Hertslet 25: 1178.	25 Apr., 1907	
		Convention. Additional to treaty of 1890. German, Hdv. 1915: 223.	do.	
		Exchange of notes. Commercial travelers' samples. French and German Martens 93: 849.	{ 10 Aug., 1911 15 Aug., 1911 }	
		Exchange of notes. Duration of treaty of 1890 and con- vention of 1907. French and German Martens 93: 904; German, Hdv. 1915: 225.	{ 15 Nov., 1911 2 May, 1914 }	
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Venezuela.	337	Treaty. Friendship, commerce, and navigation.	26 Jan., 1909	597
Zanibar.		Treaty. Friendship, commerce, and navigation (Han- seatic League). English, B. F. S. P. 50: 118; Hdv. 1906: 1298; 1915: 233.	13 June, 1859	

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		Convention. Extending convention of 1815. English, U. S. Tr. I: 645; Hdb. 1912: 987; Martens 15: 476.	6 Aug., 1827	
	24	Treaty of Washington.	8 May, 1871	130
		Declaration. Trade-marks. English, U. S. Tr. I: 737; Hdb. 1912: 993; Martens 52: 527.	24 Oct., 1877	
	25	Convention. Property.	2 Mar., 1899	131
		Convention. Samoan Islands. English, U. S. Tr. II: 1595; English and German, B. F. S. P. 91: 75; Martens 80: 683.	2 Dec., 1899	
		Agreement. Trade-marks in Morocco. English, U. S. Tr. I: 778; Hdb. 1912: 1004; B. F. S. P. 95: 56.	{ 9 Oct., 1899 6 Dec., 1899 }	
	26	Treaty. Inter-oceanic canal, etc.	18 Nov., 1901	13
		Convention. Supplementary to convention of 2 Mar., 1899. English, U. S. Tr. I: 776; B. F. S. P. 95: 114; Mar- tens 70: 641; Parl. Papers, 1902 (Cd. 1073), 130: 655.	13 Jan., 1902	
		Convention. Import duties (Zanzibar). English, U. S. Tr. I: 784; Hdb. 1912: 1008; Martens 81: 350; B. F. S. P. 95: 115; Hertslet 23: 1240.	31 May, 1902	
		Treaty. Harbor dues (Zanzibar). English, U. S. Tr. I: 785; Hdb. 1912: 1010; Martens 81: 561; B. F. S. P. 96: 90.	5 June, 1903	
		Treaty. Extraterritoriality (Zanzibar). English, U. S. Tr. I: 795; Martens 84: 510; B. F. S. P. 98: 107.	25 Feb., 1905	
		Agreement. Trade-marks in China. English, U. S. Tr. I: 800; Hdb. 1912: 1012; Martens 88: 855; B. F. S. P. 98: 158; Hertslet's China Tr. I: 604; MacMurray I: 502.	28 June, 1905	
		Agreement. Patents in Morocco. English, U. S. Tr. I: 808; Hdb. 1912: 1014; B. F. S. P. 100: 586; Hertslet 25: 936.	{ 4 Feb., 1907 24 June, 1907 }	
		Declarations. Commercial travelers' samples. English, U. S. T. S. No. 552; Hdb. 1912: 1015; Mar- tens 92: 822; B. F. S. P. 103: 331.	{ 3 Dec., 1910 8 Dec., 1910 }	
		Agreement. North Atlantic fisheries. English, U. S. Tr. III: 66; Martens 91: 673; B. F. S. P. 105: 284; Parl. Papers 1912 (Cd. 6450), 122: 639; A. J. I. L., Supp. 7: 14.	20 July, 1912	

⁴⁷ See p. 546, note 128.

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		German, Bundesgbl. No. 478.	2 Oct., 1920
Austria-Hungary ⁵⁴		Treaty. Navigation.....	30 Apr., 1868
		English, Hdb. 1912: English and German, B. F. S. P. 58: 11.		
	73	Treaty of commerce.....	5 Dec., 1876	196
		Protocol. Interpretive of Article IV of treaty of 1876.....do.....
		English, Hdb. 1912: 17; English, German, and Hungarian, B. F. S. P. 67: 36.		
with 73		Declaration. Duration of treaty of 1876.....	26 Nov., 1877
		Declaration. Commercial travelers' samples.....	15 Feb., 1887
		English, Hdb. 1912: 19; B. F. S. P. 78: 6; English and German, Martens 63: 539.		
		Exchange of notes. Trade-marks in Morocco.....	13 Feb., 1900
		French, Hdb. 1912: 20; English and French, B. F. S. P. 95: 57.	16 Feb., 1900
		Exchange of notes. Consular jurisdiction in Zanzibar.....	8 May, 1907
		English, Martens 93: 238; B. F. S. P. 101: 232.	11 May, 1907
Belgium.....		Convention. Joint-stock companies.....	13 Nov., 1862
		French, Belgium Tr. 1900: 158.		
		Convention. Commerce, etc. (Congo).....	16 Dec., 1884
		English, Hdb. 1912: 227; English and French, B. F. S. P. 75: 29; French, Martens 60: 369.		
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		English, Hdb. 1912: 33; Hertslet 24: 248; MacMurray I: 492; English and French, Hertslet's China Tr. I: 603.	30 Sept., 1904
		Agreement. Commercial travelers.....	10 Nov., 1906
		English, Hdb. 1912: 35; B. F. S. P. 99: 188; Martens 88: 989; Hertslet 24: 167.		
		Exchange of notes. Patents in Morocco.....	20 June, 1907
		English; Hdb. 1912: 36; Hertslet 25: 929.	22 June, 1907
		Convention. Belgian traffic through territories of East Africa.....	15 Mar., 1921
		English and French, G. B. T. S. 1921, No. 11, Cmd. 1327.		
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		English, Hdb. 1912: 45.		
		Agreement. Consular.....	26 Nov., 1856
		English, Hdb. 1912: 49.		
		Declaration. Wrecks.....	17 Aug., 1878
		English, Hdb. 1912: 49.		
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		English, Hdb. 1912: 80.		
		Agreement. Additional to convention of 1905.....	9 Feb., 1909
		English, Hdb. 1912: 81; English and French, Parl. Papers 1909 (Cd. 4557), 105: 277.		
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		English, Hdb. 1912: 88; Hertslet's China Tr. I: 12.		
		Convention. Entrance into Canton, etc.....	4 Apr., 1846
		English, Hdb. 1912: 89; Hertslet's China Tr. I: 15; B. F. S. P. 34: 26.		
		Agreement. Entrance into Canton, etc.....	6 Apr., 1847
		English, Hdb. 1912: 91; Hertslet's China Tr. I: 17; B. F. S. P. 35: 6.		
	144	Treaty. Peace, friendship, and commerce.....	26 June, 1858	294

⁵³ See p. 176, note 16.⁵⁴ See p. 187, note 20.⁵⁵ See p. 39, note 182.

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		English, Hdb. 1912: 108; Hertslet's China Tr. I: 35; B. F. S. P. 48: 58.		
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		Agreement. (Chefoo) Yunnan case, trade, etc.	13 Sept., 1876
		English, Hdb. 1912: 120; Martens 62: 707; Hertslet's China Tr. I: 73; B. F. S. P. 71: 753.		
		Article. Additional to agreement of 1876 (Opium)....	18 July, 1885	.....
		English, Hdb. 1912: 127; Martens 62: 713; Hertslet's China Tr. I: 84; B. F. S. P. 76: 77.		
		Convention. Burmah and Tibet.	24 July, 1886	.....
		English, Hdb. 1912: 131; B. F. S. P. 77: 80; Hertslet's China Tr. I: 88; Martens 63: 516.		
		Convention. Sikkim and Tibet.	17 Mar., 1890	.....
		English, Hdb. 1912: 133; B. F. S. P. 82: 9; Hertslet's China Tr. I: 135; Martens 66: 888.		
		Article. Additional to Agreement of 1876 (Chungking). English, Hdb. 1912: 135; Hertslet's China Tr. I: 94; B. F. S. P. 82: 15.	31 Mar., 1890	.....
		Regulations. Trade with Tibet.	5 Dec., 1893	.....
		English, Hdb. 1912: 137; B. F. S. P. 85: 1235; Hertslet's China Tr. I: 96; Martens 88: 37.		
145		Convention. Execution of convention of 1886.	1 Mar., 1894	295
with 145		Agreement. Modifying the convention of 1894.	4 Feb., 1897	295
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		Convention. Extension of Hongkong territory.	9 June, 1898
		English, B. F. S. P. 90: 17; Martens 82: 89; Hertslet's China Tr. I: 120; Rockhill: 58; MacMurray I: 130.		
		Convention. Lease of Weihaiwei.	1 July, 1898	.....
		English, B. F. S. P. 90: 16; Martens 82: 90; Rockhill: 60; MacMurray I: 152.		
146		Treaty. Commerce.	5 Sept., 1902	297
		Convention. Employment of Chinese labor in British colonies and protectorates.	13 May, 1904	.....
		English, B. F. S. P. 97: 20; Martens 82: 325; Hertslet's China Tr. I: 189; Rockhill: 77; MacMurray I: 478.		
		Convention. Integrity of Tibet, etc.	27 Apr., 1906	.....
		English, Hdb. 1912: 199; B. F. S. P. 99: 171; Hertslet's China Tr. I: 202; Martens 85: 447; MacMurray I: 376.		
		Regulations. Trade in Tibet (signed also by Tibet)....	20 Apr., 1908	.....
		English, B. F. S. P. 101: 170; Martens 88: 39; Hertslet 25: 1171; MacMurray I: 582.		
		Agreement. Opium production.	8 May, 1911
		English, G. B. T. S. 1911, No. 13, Cd. 5660; MacMurray I: 861; Martens 93: 488.		
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with 147		Protocol. Application to certain British colonies of treaty of 1866.	20 Aug., 1912	300
Costa Rica	148	Treaty. Friendship, commerce, and navigation.	27 Nov., 1849	301
		Convention. Trade-marks.	5 Mar., 1898	.....
		English, Hdb. 1912: 239; B. F. S. P. 90: 18; Martens 80: 178.		
with 148		Protocol. Application to certain British colonies of treaty of 1849.	18 Aug., 1913	302
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Denmark	149	Treaty. Peace and commerce.	13 Feb., 1660	302
	150	do.	13 Feb., 1661	302
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		Treaty. Peace, etc., renewing old treaties.	14 Jan., 1814
		English, Hdb., 1912: 270; French and English, B. F. S. P. 1: 234; French, Martens 50: 678.		
	151	Convention. Commerce.	16 June, 1824	304
		Declaration. Trade-marks.	28 Nov., 1879	.....
		English, Hdb., 1912: 278; English and Danish, Martens 56: 421.		
		Exchange of Notes. Trade-marks in China.	11 Nov., 1905
		English, Hdb., 1912: 278; MacMurray I: 546.	11 Dec., 1905
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		English and Danish, L. N. T. S. 2: 249.		
		Agreement. Wrecks.	28 Sept., 1918
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		Exchange of notes. Import duties in Ethiopia.....	13 Apr., 1909
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France		Convention. Establishment and commerce in India... French, France Tr. II: 260.	31 Aug., 1787
		Convention. Trade in salt and opium in India... English, Hdb., 1912: 303; B. F. S. P. 2: 219; French, Martens 10: 104.	7 Mar., 1815
	154	Convention. Commerce and navigation.....	26 Jan., 1826	308
		Declaration. Fisheries.....	23 June, 1843
		French, France Tr. II: 272.	
		Convention. Joint-stock companies.....	30 Apr., 1862
		English, Hdb., 1912: 312; French, France Tr. II: 289.	
	155	Convention. Commerce and navigation.....	28 Feb., 1882	309
		Declaration. Wrecks.....	23 Oct., 1889
		English, Hdb., 1912: 320; French, France Tr. II: 342.	
		Declaration. Concerning Siam and the Upper Mekong... English and French, B. F. S. P. 88: 13; Martens 73: 226; French, France Tr. II: 361.	15 Jan., 1896
	156	Convention. Relations in Tunis.....	18 Sept., 1897	311
		Exchange of notes. Trade-marks in China.....	20 Apr., 1898
		English, Hdb., 1912: 324; MacMurray I: 171; Eng- lish and French, Hertslet's China Tr. I: 585.	29 Aug., 1898
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		English, Hdb., 1912: 326; English and French, B. F. S. P. 91: 58; Martens 83: 231.	13 Oct., 1899
		English, Hdb., 1912: 326; English and French, B. F. S. P. 91: 58; Martens 83: 231.	15 Nov., 1899
	157	Agreement. Commerce (Zanzibar).....	27 June, 1901	311
	158	Convention. Commerce (Jamaica).....	8 Aug., 1902	312
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		Convention. Confirming protocol of 27 Feb., 1906 (New Hebrides). English, B. F. S. P. 99: 229; French, France Tr. II: 455.	20 Oct., 1906
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	with 154	Protocol. Application to certain British colonies of convention of 1826.	6 July, 1912	309
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		Declaration. Joint-stock companies.....	27 Mar., 1874
		English, Hdb. 1912: 436; English and German, B. F. S. P. 65: 52.	

16 See p. 546, note 128.

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		Exchange of notes. Trade-marks in China..... English, Hdb. 1912: 444; B. F. S. P. 99: 926; Hertslet's China Tr. I: 616; MacMurray I: 574.	{ 23 Mar., 1906 26 Mar., 1906.....	{
		Exchange of notes. Consular jurisdiction (Zanzibar)..... English, Martens 93: 240; B. F. S. P. 101: 234.	{ 25 Feb., 1907 15 Mar., 1907 10 Mar., 1908.....	{
		Agreement. Supplementary to declaration of 1869 (Commercial travelers' samples). English, Hdb. 1912: 445; English and German, Martens 86: 927; B. F. S. P. 101: 190.	{	{
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		Declaration. Correcting error in agreement of 1890..... English, Hdb. 1912: 462.	{ 16 June, 1890	{
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		Agreement. Suppression of capitulations in Egypt.... English and French, G. B. T. S. 1921, No. 5, Cmd. 1237.	{ 4 Sept., 1920	{
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		Convention. Customs (Anglo-Egyptian Sudan with Eritrea). English, B. F. S. P. 94: 581.	{ 26 Nov., 1901	{
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		Exchange of notes. Coasting trade..... English, Hdb. 1912: 494; B. F. S. P. 100: 542; Hertslet 23: 698.	{ 18 Sept., 1904 20 Sept., 1904.....	{
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		Exchange of notes. Patents in Morocco..... French, Hdb. 1912: 495.	{	{
		Agreement. Commercial travelers' samples..... English, Hdb. 1912: 496; Hertslet 25: 915; B. F. S. P. 101: 191; Martens 88: 269; English and Italian, Italy Tr. 1911, I: 518.	{	{
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⁵⁶ See p. 546, note 128.⁵⁷ See p. 623, note 152.

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	174	Treaty. Commerce (East Indies).....	17 Mar., 1824	335
	175	Treaty. Commerce and navigation.....	27 Oct., 1837	336
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⁵⁸ See p. 757, note 195.⁵⁹ See p. 771, note 197.

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⁶⁰ See p. 176, note 15.⁶¹ See p. 187, note 20.⁶² See p. 391, note 82.⁶³ See p. 546, note 128.⁶⁴ In force, Reichsgbl. 14 Feb., 1921: 149

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⁶⁵ See p. 757, note 195.⁶⁶ See p. 771, note 197.

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⁶⁷ See p. 546, note 128.

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⁶⁸ See p. 623, note 152; p. 187, note 20; and pp. 20-21.⁶⁹ See p. 290, note 40.⁷⁰ See p. 176, note 16.⁷¹ See p. 187, note 20.

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⁷² See p. 391, note 82.^a To terminate 1 Mar., 1922. See Appendix.

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⁷³ See p. 546, note 128.

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⁷⁴ See p. 623, not 152.⁷⁵ Concluded with Colombia.⁷⁶ See p. 757, note 195.^a Terminated. See Appendix.

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⁷⁷ See p. 771, note 197.^a Terminated. See Appendix.

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⁷⁸ See p. 178, note 16.⁷⁹ See p. 187, note 20.

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⁸⁰ See p. 546, note 128.⁸¹ See p. 623, note 152.

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Peru.....	379	Treaty. Commerce and navigation.....	20 Mar., 1895	674
Russia ⁸²		Treaty of peace.....	5 Sept., 1905
		French and English, Japan Tr. 1918: 344; Martens 83: 3; English, MacMurray I: 522; French B. F. S. P. 98: 735.		
	380	Treaty. Commerce and navigation.....	28 July, 1907	676
		Treaty. Fisheries.....	28 July, 1907
		French, Japan Tr. 1918: 381; B. F. S. P. 101: 453; Martens 86: 861.		
		Convention. Integrity of China, etc.....	30 July, 1907
		French, Japan Tr. 1918: 393; B. F. S. P. 101: 462; Martens 86: 7; Herislet's China Tr. I: 619; English, MacMurray I: 657.		
		Exchange of notes. Certificates of origin.....	12 Jan., 1910
		French, Japan Tr. 1918: 378; B. F. S. P. 103: 587.		
		Convention. Manchuria.....	4 July, 1910
		English, MacMurray I: 803; B. F. S. P. 103: 586; Martens 88: 753; French, Japan Tr. 1918: 394.		
		Arrangement. Joint-stock companies.....	23 June, 1911
		French, Japan Tr. 1918: 380; B. F. S. P. 105: 713; Martens 92: 910.		
		Convention. Industrial property.....do.....
		French, Japan Tr. 1918: 408; B. F. S. P. 105: 715; Martens 93: 597.		
		Convention. Industrial property in China.....do.....
		English, MacMurray I: 899; French, B. F. S. P. 105: 717; Martens 93: 600; Japan Tr. 1918: 411.		
		Convention. Manchurian Railway.....	14 Aug., 1911
		English, MacMurray I: 646; French, B. F. S. P. 105: 719; Martens 92: 651.		
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		Exchange of notes. Spirituous liquors.....do.....
		English, Japan Tr. 1918: 421; B. F. S. P. 90: 72.		
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		French, Japan Tr. 1918: 423.		
	384	Treaty. Commerce and navigation.....	19 May, 1911	684
	385	Convention. Customs.....do.....	686
		Convention. Industrial property in China.....	24 Aug., 1916
		French, Japan Tr. 1918: 436.		
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Germany.....	Agreement. Resumption of relations.....	15 July, 1920
		English, Bd. Tr. J. 9 Sept. 1920: 312; L. N. T. S. 2: 91.		
Russia.....	Treaty of peace.....	11 Aug., 1920
		Russian and Lettish, L. N. T. S. 2: 195.		

⁸² See p. 757, note 195.

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Belgium.....	107	Treaty. Friendship, commerce, and navigation.....	1 May, 1885	248
Denmark.....	266do.....	1 May, 1860	483
France.....	292	Treaty. Commerce and navigation.....	17 Apr., 1852	519
Germany ⁸³	with 292	Article. Additional to treaty of 1852.....	20 Apr., 1852	519
	322	Treaty. Commerce and Navigation (North German union).	31 Oct., 1867	568
	314	Treaty of peace.....	28 June, 1919	546
Great Britain.....	168	Treaty. Friendship and commerce.....	21 Nov., 1848	327
	with 168	Agreement. Modifying treaty of 1848.....	23 July, 1908	327
Italy.....	357	Treaty. Friendship, commerce, and navigation.....	23 Oct., 1862	636
Norway.....	387	Treaty. Commerce and navigation.....	1 Sept., 1863	690
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America, United States of.		Declaration. Trade-marks..... English, U. S. Tr. I: 1057; B. F. S. P. 98: 752; English and French, Martens 82: 373.	23 Dec., 1904
Belgium.....		Convention. Joint-stock companies.....	{ 18 Nov., 1864 7 Dec., 1864 }	.....
		French, Belgium Tr. 1900: 239.		
		Declaration. Trade-marks.....	{ 25 Sept., 1883 26 Sept., 1883 }	.....
		French, Belgium Tr. 1900: 240.		
	101	Treaty. Commerce and customs ⁸²	6 Dec., 1891	239
		Agreement. Spirituous liquors.....	2 Apr., 1903	.....
		French, Belgium Tr. 1908: 615.		
	with 101	Treaty. Additional to treaty of 1891 ⁸³	22 June, 1904	239
		Agreement. Commercial travelers' samples.....	10 June, 1908	.....
		French, Belgium Tr. 1908: 547.		
		Convention. Establishing an economic union between Belgium and Luxembourg.	25 July, 1921	.....
		English, State Department dispatch, No. 1280, Brussels, 2 Aug., 1921.		
Denmark.....		Declaration. Trade-marks.....	1 Oct., 1912	.....
France.....		French, Martens 94: 883.		
		Declaration. Trade-marks.....	27 Mar., 1880	.....
		French, France Tr. III: 48; Martens 86: 490.		
		Agreement. Spirituous liquors.....	10 Sept., 1902	.....
Germany.....		French, France Tr. III: 61.		
		Agreement. Spirituous liquors.....	31 Oct., 1911	.....
Great Britain.....		German, Hdv. 1915: 46; Martens 92: 512.		
		Declaration. Trade-marks.....	25 Jan., 1900	.....
		English, Hdb. 1912: 523; Hertset 23: 1201; English and French, B. F. S. P. 95: 402; Martens 79: 497.		
		Agreement. Trade-marks.....	{ 1 Mar., 1896 3 Mar., 1896 }	.....
Netherlands.....		French, Martens 74: 641; Italy, Tr. 14: 145.		
		Declaration. Trade-marks.....	1 Nov., 1912	.....
Norway.....		French, B. F. S. P. 107: 1000.		
		Declaration. Trade-marks.....	1 May, 1911	.....
		French, B. F. S. P. 105: 623; Martens 92: 908; Nor- wegian, Norway Tr. 1914: 119.		
		Declaration. Trade-marks.....	14 Sept., 1912	.....
Russia ⁸⁴		French, Martens 94: 834.		
		Declaration. Trade-marks.....	1 July, 1912	.....
Sweden.....		French, Martens 94: 801.		
United States.....		See America, United States of.		

⁸² See p. 546, note 128.⁸⁴ See p. 757, note 195.

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Belgium	108	Treaty. Commerce and navigation	7 June, 1895	249
		Declaration. Trade-marks	do.	
		French, Belgium Tr. 1900: 260.		
China	236	Treaty. Friendship, commerce, and navigation	14 Dec., 1899	432
Denmark	267	Convention. Commerce and navigation	3 May, 1910	484
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		Spanish, Martens 68: 758; English, B. F. S. P. 82: 689.		
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France	293	Treaty. Commerce and navigation	27 Nov., 1886	520
		Convention. Industrial property	10 Apr., 1899	
		French, France Tr. III: 54; B. F. S. P. 92: 463.		
Germany	323	Treaty. Friendship, commerce, and navigation	5 Dec., 1882	569
		Convention. Trade-marks	16 Aug., 1898	
		English, B. F. S. P. 90: 335.		
Great Britain	169	Treaty. Friendship, commerce, and navigation	27 Nov., 1888	328
Honduras	353	do.	24 Mar., 1908	617
Italy	358	do.	16 Apr., 1890	637
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Nicaragua	389	do.	6 Nov., 1900	693
Norway	392	do.	29 July, 1885	696
	with 392	Protocol. Amending treaty of 1885	15 Dec., 1885	696
Persia	390	Treaty. Friendship and commerce	14 May, 1902	695
Russia ⁸⁵	391	Convention. Commerce and coasting trade	2 Oct., 1909	695
Spain		Treaty. Peace and friendship	28 Dec., 1836	
		Spanish and English, B. F. S. P. 24: 864.		
		Convention. Copyright	26 Mar., 1903	
		English, B. F. S. P. 96: 533; Spanish, Martens 81: 526.		
Sweden	392	Treaty. Commerce and navigation	29 July, 1885	696
	with 392	Protocol. Amending treaty of 1885	15 Dec., 1885	696
Turkey		Protocol. Consular	23 Dec., 1910	
		French, B. F. S. P. 105: 735; Martens 93: 286.		

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France	294	Convention. Customs administration	10 Apr., 1912	
		Treaty. Relations between France and Monaco	17 July, 1918	
		English, B. F. S. P. 111: 727.		

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China		Convention. Outer Mongolia. (Signed also by Rus- sia.)	7 June, 1915	
		English, MacMurray II: 1239.		
Russia ⁸⁶		Agreement. Friendship and commerce	3 Nov., 1912	
		English, MacMurray II: 992; English and French, Martens 93: 693; German (transl.), Martens 92: 11; French B. F. S. P. 105: 395.		
		Agreement. Railroads in Mongolia	30 Sept., 1914	
		English, MacMurray II: 1178.		

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Belgium		Agreement. Commerce	9 Dec., 1901	
		French, Belgium Tr. 1908: 631.		
Bulgaria	213	Convention. Commerce and navigation	9 May, 1909	406
Egypt	207	Exchange of notes. Commerce and navigation	(30 Mar., 1905 21 July, 1905)	384
France	295	Convention. Commerce and navigation	30 June, 1892	524
		Convention. Copyright	24 Jan., 1902	
		French, France Tr. III: 116.		
Germany	324	Convention. Commerce and navigation	18 June, 1907	571
Great Britain	170	do.	11 Jan., 1910	330
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Italy	359	Agreement. Commerce	(21 Dec., 1903 22 Dec., 1903)	641
		Exchange of notes. Proroguing agreement of 1903	(10 June, 1904 11 June, 1904)	
		French, Italy Tr. 1911, II: 610.		
Netherlands	393	Convention. Commerce and navigation	8 Dec., 1908	701
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Switzerland	397	Agreement. Commerce	31 Dec., 1910	703
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⁸⁵ See p. 757, note 195.⁸⁶ See p. 771, note 197.

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Belgium.....	109	Treaty. Commerce and navigation.....	4 Jan., 1862	251
Denmark.....		Treaty. Peace and commerce..... French, B. F. S. P. 101: 283; Danske Tr. (1751-1800): 268.	25 July, 1767
France.....		Treaty. Organization of French protectorate..... French, B. F. S. P. 106: 1023; Martens 91: 332; English, A. J. I. L. Supp. 6: 207.	30 Mar., 1912	.....
Germany ⁸⁸		Treaty. Commerce..... English, B. F. S. P. 82: 963; German, Martens 67: 592; Hdv. 1906: 479.	1 June, 1890	.....
Great Britain.....	171	General treaty.....	9 Dec., 1856	330
Italy.....	172	Convention. Commerce and navigation.....	do.	332
Netherlands.....		Treaty. Peace, friendship, and commerce..... English, B. F. S. P. 98: 975; Italian, Italy Tr. 1911, II: 552.	30 June, 1825	.....
Norway.....		Declaration. Privileges of consuls and subjects..... French, B. F. S. P. 49: 466.	18 May, 1858	.....
Spain.....		Treaty. Peace and commerce..... French, B. F. S. P. 101: 283; Norwegian, Norway Tr. 1914: 120.	25 July, 1767	.....
Sweden.....		Treaty. Commerce..... English, B. F. S. P. 53: 1089.	20 Nov., 1861	.....
United States.....		Treaty. Peace and commerce..... Swedish, Sweden Tr. 1910: 871.	14 May, 1763
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	with 173	Protocol. Duration of treaty of 1891.....	20 Feb., 1892	334
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.....		Agreement. Trade-marks in China..... English, U. S. Tr. II: 1273; MacMurray I: 540.	23 Oct., 1905
Austria-Hungary	80	Treaty. Friendship and commerce.....	26 Mar., 1867	208
.....		Declaration. Trade-marks..... French and German, Martens 63: 706.	3 Sept., 1886	.....
.....		Convention. Commercial travelers' samples..... French and German, Martens 65: 723; B. F. S. P. 79: 397.	12 Dec., 1888	.....
Belgium.....		Convention. Consular (Dutch colonies)..... French, Belgium Tr. 1900: 289.	17 Apr., 1855	.....
.....		Convention. Copyright..... French, Belgium Tr. 1900: 297.	30 Aug., 1858	.....
.....	110	Convention. Commerce and navigation.....	12 May, 1863	252
with 110		Convention. Additional to treaty of 1863.....	7 Dec., 1865	252
.....		Declaration. Joint-stock companies..... French, Belgium Tr. 1900: 295.	25 May, 1866	.....
.....		Convention. Trade-marks..... French, Belgium Tr. 1900: 296.	22 Oct., 1880	.....
.....		Convention. Commerce, etc. (Congo)..... French, B. F. S. P. 75: 322; Martens 60: 373.	27 Dec., 1884	.....
.....		Agreement. Commercial travelers' samples..... French, Belgium Tr. 1908: 644.	12 June, 1907	.....
.....		Agreement. Spirituous liquors..... French, Martens 93: 309; B. F. S. P. 104: 823; Lagemans 17: 240.	19 July, 1907	
Brazil.....		Agreement. Trade-marks..... Portuguese, Brazil Act. Diplom. 2: 83; French Martens 58: 192.	19 July, 1911	.....
Bulgaria.....		Agreement. Trade-marks.....	26 July, 1878
.....	with 214	Exchange of notes. Commerce.....	24 June, 1897	406
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⁸⁷ See p. 187, note 20.⁸⁸ See p. 546, note 123.

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		French, Lagemans I: 60; B. F. S. P. 4: 959.		
		Declaration. Trade-marks.....	14 Jan., 1881
		French, Martens 58: 167.		
France.....		Declaration. Pilotage dues.....	27 Apr., 1852
		French, France Tr. III: 164; B. F. S. P. 41: 900.		
		Convention. Copyright.....	29 Mar., 1855
		French, France Tr. III: 164.		
		Agreement. Additional to convention of 1855.....	27 Apr., 1860
		French, France Tr. III: 168.		
		Treaty. Commerce and navigation.....	7 July, 1865
		French, France Tr. III: 169; B. F. S. P. 55: 383.		
		Declaration. Consular and copyright.....	19 Apr., 1884
		French, France Tr. III: 171; B. F. S. P. 75: 343; French and Dutch, Martens 62: 615.		
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	298	Convention. Commerce (Dutch colonies).....	13 Aug., 1902	526
		Agreement. Customs (Dutch East Indies).....	18 Aug., 1910
		French, France Tr. III: 192; B. F. S. P. 103: 542.		
		Declaration. Renunciation of capitulations in Morocco. French, France Tr. III: 196.	26 May, 1916
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		Convention. Consular (Dutch colonies and Prussia) ..	16 June, 1856
		French, Lagemans 4: 279.		
		Declaration. Consular (Dutch colonies) ..	11 Jan., 1872
		French, Lagemans 6: 360.		
		Convention. Importation of medicinal products.....	11 Dec., 1873
		French, Martens 51: 227.		
		Declaration. Trade-marks.....	28 Dec., 1881
		Dutch and German, Martens 58: 131.		
		Agreement. Frontier traffic.....	5 June, 1901
		German, B. F. S. P. 94: 593; Martens 79: 573.		
		Treaty. Joint-stock companies.....	11 Feb., 1907
		English, B. F. S. P. 101: 340; German, Hdv. 1915: 74; Martens 86: 729.		
		Convention. Spirituous liquors.....	6 June, 1910
		German and Dutch, Martens 92: 307.		
		Exchange of notes. Commercial travelers' samples.. German and French, Martens 94: 902; French, B. F. S. P. 106: 1054.	9 Nov., 1912
		Convention. Commerce.....	11 May, 1920
		German, Staatsbl. 1920, No. 681.		
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		English, Hdb. 1912: 624; English and Dutch, B. F. S. P. 46: 226.		
		Convention. Regulating mutual relations in Sumatra.. English, Hdb. 1912: 630; English and Dutch, B. F. S. P. 61: 19.	2 Nov., 1871
	with 175	Convention. Customs regulations, additional to treaty of 1837.	15 Aug., 1889	336
		Exchange of notes. Trade-marks in China.....	15 Aug., 1904	}
		English, Hdb. 1912: 633; MacMurray I: 490; Eng- lish and French, B. F. S. P. 97: 672; Hertslet's China Tr. I: 602.	7 Sept., 1904	
		Exchange of notes. Commercial travelers' samples....	31 Dec., 1910	}
		English, Hdb. 1912: 635; G. B. T. S. 1911 No. 5, Cd. 5519; English and French, Martens 92: 850; B. F. S. P., 104: 183; Hertslet 26: 786.	27 Jan., 1911	

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		Declaration. Trade-marks.....	10 May, 1895
		French and Greek, Greece Tr. 1912: 637; French, Martens 73: 44; B. F. S. P. 87: 787.		
		Protocol. Joint-stock companies.....	15 Oct., 1903
		French and Greek, Greece Tr. 1912: 640; French, Martens 84: 349; B. F. S. P. 96: 1273.		
		Exchange of notes. Consular jurisdiction.....	{ 3 Mar., 1904 24 Mar., 1904 12 Apr., 1904 }
		French and Greek, Greece Tr. 1912: 643.	7 Mar., 1914
Guatemala.....		Convention. Consular.....	
		French, B. F. S. P. 107: 908.		
Haiti.....		Convention. Consular.....	
		French, Haiti Tr. 1891: 216; Martens 60: 162.	18 May, 1883
Italy.....	360	Treaty. Commerce and navigation.....	24 Nov., 1863	641
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		French, Italy Tr. 1911, II: 634.		
		Protocol. Joint-stock companies.....	11 Apr., 1868
		French, B. F. S. P. 61: 1052.		
		Convention. Consular.....	3 Aug., 1875
		French, Martens 52: 15; B. F. S. P. 66: 130.		
		Convention. Consular (Dutch colonies).....	...do.....
		French, Martens 52: 19; B. F. S. P. 66: 135.		
		Declaration. Proroguing treaty of 1863.....	22 May, 1876
		French, Italy Tr. 1911, II: 639; Martens 52: 23.		
		Exchange of notes. Importation of medicinal products.....	{ 3 Jan., 1910 4 Jan., 1910 }
		French, Martens 91: 874; Italy Tr. 1911, II: 639; B. F. S. P. 103: 561.		
Japan.....		Convention. Consular (Dutch colonies).....	27 Apr., 1908
		French, Japan Tr. 1918: 311; Martens 86: 930; B. F. S. P. 101: 1067.		
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		Convention. Consular (Dutch colonies).....	11 Jan., 1912
		French, Martens 94: 515.		
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		French, B. F. S. P. 101: 493; Martens 88: 1020; Spanish, Peru Act. Int. 1916, No. 79.		
Portugal.....		Convention. Consular (Dutch colonies).....	3 June, 1856
		French, Lagemans 4: 270.		
		Convention. Consular.....	1 Dec., 1880
		French, Lagemans 8: 269.		
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		Declaration. Trade-marks.....	7 Apr., 1880
		French, Lagemans 8: 286.		
		Convention. Consular (Dutch colonies).....	14 Apr., 1883
		French, Lagemans 9: 39.		
		Convention. Joint-stock companies.....	29 Sept., 1911
		French, B. F. S. P. 105: 760; Martens 93: 890.		
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Siam.....	406	Treaty. Friendship, commerce, and navigation.....	17 Dec., 1860	712
		Convention. Consular (Dutch colonies).....	1 Apr., 1867
		French, Lagemans 6: 250.		
		Convention. Spirituous liquors.....	10 Nov., 1883
		French, B. F. S. P. 74: 914; Martens 67: 117.		
Spain.....		Treaty. Commerce and navigation.....	18 Nov., 1871
		French, Lagemans 6: 354.		
		Convention. Consular.....	18 Nov., 1871
		French, Lagemans 6: 356.		
		Convention. Commerce.....	8 June, 1887
		French, Lagemans 10: 40.		
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⁸⁹ See p. 757, note 195.⁹⁰ See p. 771, note 197.^a Terminated. See Appendix.

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		French, Lagemans 4: 207; Sweden Tr. 1910: 921.		
		Declaration. Coasting trade.....	29 Nov., 1856	
		French, B. F. S. P. 47: 510; Sweden Tr. 1910: 924.		
		Convention. Wrecks.....	26 Feb., 1908
		French, B. F. S. P. 102: 718; Martens 89: 217; Lagemans 17: 1; Sweden Tr. 1910: 941.		
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		French, B. F. S. P. 107: 1031.		
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NEW ZEALAND.⁹¹NEWFOUNDLAND.⁹¹

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		English, Cong. Rec. 59: 1536. (Ratification advised by U. S. Senate; ratification on part of Nicaragua still pending, 1 Oct., 1921.)		
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⁹¹ See p. 290, note 40.⁹² See p. 176, note 16.⁹³ See p. 548, note 128.

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⁹⁴ See p. 757, note 195.⁹⁵ See p. 771, note 197.⁹⁶ Concluded with Colombia.⁹⁷ See p. 546, note 128.

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⁹⁸ See p. 757, note 195.

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⁹⁹ See p. 546, note 128.¹⁰⁰ See p. 757, note 195.

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¹⁰¹ See p. 546, note 128.

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¹⁰² See p. 757, note 195.¹⁰³ See p. 771, note 197.¹⁰⁴ See p. 176, note 16.¹⁰⁵ See p. 187, note 20.¹⁰⁶ See p. 391, note 82.

a Terminated 30 Sept., 1913.

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	329	Treaty. Commerce, customs, and navigation.....	21 Oct., 1893	580
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	314	Treaty of peace.....	28 June, 1919	546
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		Convention. False indications of origin..... English, Hdb. 1912: 727.	1 Apr., 1893
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	366	Treaty. Commerce, customs, and navigation ^a	5 Dec., 1906	650
		Convention. Copyright..... French, Martens 85: 554.	do.
		(Exchange of notes. Importation of Italian olive oil..... French, Martens 91: 870.	(11 Jan., 1910 2 Feb., 1910	} 702
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Norway.....	412	Convention. Commerce and navigation.....	31 Mar., 1910	720
Poland.....		Treaty. Commerce..... English (transl.), State Department dispatch, No. 875, Warsaw, 5 Aug., 1921.	1 July, 1921
Russia ¹⁰⁸	432	Convention. Commerce and navigation.....	9 Mar., 1906	747
Serb-Croat-Slo- vene State. ¹⁰⁹	433	Convention. Commerce.....	5 Jan., 1907	750
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	with 436	Convention. Additional to treaty of 1893.....	29 Dec., 1904	755
Turkey.....		Treaty. Commerce..... French, Martens 80: 590; B. F. S. P. 94: 604.	12 Aug., 1901
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		Agreement. Trade-marks in China..... English, U. S. Tr. II: 1535; English and French, Martens 93: 392.	28 June, 1906
Austria-Hungary.		Declaration. Trade-marks..... French, Martens 91: 505.	5 Feb., 1874
	85	Treaty. Commerce and navigation.....	15 Feb., 1906	215
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		Declaration. Joint-stock companies..... French, Belgium Tr. 1900: 350.	20 Dec., 1865
		Declaration. Trade-marks..... French, Belgium Tr. 1900: 351.	29 Jan., 1881	.....
		Convention. Commerce, etc. (Congo)..... French, B. F. S. P. 76: 1010; Martens 60: 378.	5 Feb., 1885	.....
		Exchange of notes. Trade-marks in China.....	(12 Oct., 1906 15 Oct., 1906	} 409
		French, B. F. S. P. 105: 791; Martens 93: 393; MacMurray I: 608.		
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China.....		Treaty. Peace, boundary, etc..... French, Hertslet's China Tr. I: 437; Martens 46 (pt. 2): 173.	1689
		Treaty. Peace, boundaries, etc..... French, Hertslet's China Tr. I: 439; Martens 25: 711.	21 Oct., 1727	.....
		Treaty. Commerce, etc. (Ili and Tarbagatai)..... French, Hertslet's China Tr. I: 449; Martens 46 (pt. 2): 176; B. F. S. P. 53: 961.	25 July, 1851	.....
		Treaty. Riverain trade, etc. (Usuri, Amur, Sungari)..... French, Hertslet's China Tr. I: 454.	16 May, 1858	.....
		Treaty. Commerce, etc..... French, B. F. S. P. 53: 966; Martens 45 (pt. 2): 128; Hertslet's China Tr. I: 455.	13 June, 1858	.....

¹⁰⁷ See p. 546, note 128.¹⁰⁸ See p. 757, note 195.¹⁰⁹ See p. 771, note 197.^a Terminated. See Appendix.

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		Convention. Overland trade. English, Hertslet's China Tr. I: 478.	27 Apr., 1869
		Treaty. Commerce, frontier trade, etc. French, B. F. S. P. 72: 1143; Martens 58: 221; Hertslet's China Tr. I: 483.	24 Feb., 1881
		Agreement. Manchuria. English, Parl. Papers 1904 (Cd. 1936), 110: 121, 36; Hertslet's China Tr. I: 509; Rockhill: 99; MacMurray I: 326.	8 Apr., 1902	.....
		Exchange of notes. Imports into Manchuria. English, MacMurray I: 650.	15 July, 1907	.....
		Regulations. Customs, Manchuria, etc. English, MacMurray I: 651.	30 May, 1908	.....
		Declaration. Mongolia. English, MacMurray II: 1066; French, Martens 93: 145; B. F. S. P. 107: 732.	5 Nov., 1913	.....
		Agreement. Interpretation of duty-free list in treaty of 1881. English, MacMurray II: 1191.	4 Mar., 1915	.....
		Convention. Mongolia. (Signed also by Mongolia). English, MacMurray II: 1239; A. J. I. L. Supp. 10: 251.	7 June, 1915	.....
Denmark	271	Treaty. Commerce and navigation. Declaration. Industrial models. French, B. F. S. P. 99: 1037; Martens 84: 699.	2 Mar., 1895 13 Sept., 1906	488
		Convention. Property. French, B. F. S. P. 107: 744.	5 May, 1913	.....
		Convention. Copyright. French, B. F. S. P. 109: 914.	18 Feb., 1915	.....
Egypt.	208	Treaty. Commerce and navigation	13 Mar., 1909	385
Finland	286	Treaty of peace.	14 Oct., 1920	511
France		Convention. Consular. French, France Tr. III: 274; B. F. S. P. 65: 262.	1 Apr., 1874	.....
		Convention. Succession to property. French, France Tr. III: 280; B. F. S. P. 65: 269.	do	.....
		Declaration. Relations in Tunis. French, France Tr. III: 288; B. F. S. P. 88: 742; Martens 73: 385; Clercq 29: 627.	14 Oct., 1896	.....
		Exchange of notes. Trade-marks in China. English, MacMurray II: 611.	30 Nov., 1906	.....
		Convention. Copyright. French, France Tr. III: 294; B. F. S. P. 105: 617; Martens 94: 300.	29 Nov., 1911	.....
		Declaration. Renunciation by Russia of capitulations in Morocco. French, B. F. S. P. 107: 821; Martens 93: 324.	28 Jan., 1914	.....
Germany		Declaration. Trade-marks. French, Martens 51: 602.	23 July, 1873	.....
		Convention. Consular. French, Martens 51: 233.	8 Dec., 1874	.....
	330 with 330	Treaty. Commerce and navigation	10 Feb., 1894	583
		Convention. Additional to treaty of 1894	28 July, 1904	583
		Exchange of notes. Trade-marks in China. French, B. F. S. P. 105: 789; English, MacMurray I: 614.	1 Feb., 1907	.....
		Agreement. German import duties on Russian sugar. French, B. F. S. P. 102: 928; French and German, Martens 86: 884.	20 Jan., 1908	.....
		Convention. Copyright. French and German, Martens 94: 458.	28 Feb., 1913	.....
	331	Agreement. Trade	6 May, 1921	587
Great Britain		Declaration. Trade-marks. English, Hdb. 1912: 753.	11 July, 1871	.....
	183	Agreement. Commerce (Zanzibar)	24 Aug., 1896	351
		Agreement. Joint-stock companies. French, Hdb. 1912: 756; B. F. S. P. 97: 79; Martens 82: 382; Hertslet 24: 966.	29 Dec., 1904	.....
		Exchange of notes. Trade-marks in China. English, MacMurray I: 610; B. F. S. P. 99: 928; Hertslet's China Tr. I: 617.	29 Oct., 1906 30 Oct., 1906	.....
		Exchange of notes. Consular jurisdiction (Zanzibar). English, Martens 93: 243; B. F. S. P. 101: 237.	4 July, 1907 5 July, 1907	.....
		Convention. Persia, Afghanistan and Tibet. English, MacMurray I: 674.	31 Aug., 1907	.....
		Exchange of notes. Trade-marks and patents in Morocco. French, Hdb. 1912: 758; B. F. S. P. 101: 201; Martens 88: 865.	11 Oct., 1908

¹⁰⁸ See p. 757, note 195.

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		Agreement. Joint-stock companies..... French and Greek, Greece Tr. 1912: 701.	26 Dec., 1887
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		Declaration. Trade marks..... French, Martens 68: 215; B. F. S. P. 101: 391.	9 May, 1891
		Exchange of notes. Trade-marks in China..... English, MacMurray I: 609; French, Martens 93: 394.	16 Oct., 1906
		Treaty. Commerce and navigation..... French, B. F. S. P. 101: 391; Martens 86: 835.	28 June, 1907	676
		Exchange of notes. Additional to treaty of 1907, Clas- sification of mineral oils. French, Italy Tr. Appendix I, 1914: 47; B. F. S. P. 107: 937.	4 Jan., 1914
Japan.....		Treaty of peace..... French and English, Japan Tr. 1918: 344; Mar- tens 83: 3; English, MacMurray I: 522; French, B. F. S. P. 98: 735.	5 Sept., 1905
	380	Treaty. Commerce and navigation.....	28 July, 1907
		Treaty. Fisheries..... French, Japan Tr. 1918: 381; B. F. S. P. 101: 453; Martens 86: 861.	do.
		Convention. Integrity of China, etc..... French, Japan Tr. 1918: 393; B. F. S. P. 101: 462; Martens 86; 7; Hertslet's China Tr. I: 619; English, MacMurray I: 657.	30 July, 1907
		Exchange of notes. Certificates of origin..... French, Japan Tr. 1918: 378; B. F. S. P. 103: 587.	12 Jan., 1910
		Convention. Manchuria..... English, MacMurray I: 803; B. F. S. P. 103: 586; Martens 88: 753; French, Japan Tr. 1918: 394.	4 July, 1910
		Arrangement. Joint-stock companies..... French, Japan Tr. 1918: 380; B. F. S. P. 105: 713; Martens 92: 910.	23 June, 1911
		Convention. Industrial property..... French, Japan Tr. 1918: 408; B. F. S. P. 105: 715; Martens 93: 597.	23 June, 1911
		Convention. Industrial property in China..... English, MacMurray I: 899; French, B. F. S. P. 105: 717; Martens 93: 600; Japan Tr. 1918: 411.	do.
		Convention. Manchurian Railway..... English, MacMurray I: 646; French, B. F. S. P. 105: 719; Martens 92: 651.	14 Aug., 1911
Latvia.....		Treaty of peace..... Russian and Lettish, L. N. T. S. 2: 195.	11 Aug., 1920
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		Agreement. Railroads in Mongolia..... English, MacMurray II: 1178.	30 Sept., 1914
		Convention. Outer Mongolia (signed also by China).... English, MacMurray II: 1239.	7 June, 1915
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		Convention. Consular (Dutch colonies)..... French, Lagemans 9: 39.	14 Apr., 1883
		Convention. Joint-stock companies..... French, B. F. S. P. 105: 760; Martens 93: 890.	29 Sept., 1911
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¹⁰⁸ See p. 757, note 195.

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	439	Exchange of notes. Commerce and navigation	6 Feb., 1895	761
with 439		Declaration. Most-favored-nation treatment of ships	14 Feb., 1912	761
		Declaration. Renunciation of capitulations in Morocco. French, B. F. S. P. 109: 1011.	17 May, 1915
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		Declaration. Trade-marks. French, B. F. S. P. 95: 951; Martens 80: 606; Sweden Tr. 1910: 993.	26 Oct., 1901
	441	Convention. Commerce	9 Aug., 1906	762
		Agreement. Swedish import duties on Russian sugar. French, B. F. S. P. 102: 929; Martens 87: 852.	5 Feb., 1908
		Declaration. Most-favored-nation treatment to consular officers. French, B. F. S. P. 102: 795; Martens 90: 606; Sweden Tr. 1910: 1002.	10 Nov., 1909
		Convention. Industrial property in China English, MacMurray II: 997.	11 Jan., 1913
Switzerland.....	442	Convention. Settlement and commerce Convention. Trade-marks. French, B. F. S. P. 92: 153; French and German, Martens 79: 390.	26 Dec., 1872 1 May, 1899	763
		Declaration. Joint-stock companies French, B. F. S. P. 96: 855; Martens 81: 598.	19 Oct., 1903
Turkey.....	443	Convention. Commerce and navigation Protocol. Turkish customs duties French, B. F. S. P. 100: 575; Martens 86: 790; Hertslet 25: 1178.	21 June, 1783 25 Apr., 1907	765
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France.....		Convention. Consular French, France Tr. III: 304; B. F. S. P. 69: 580.	5 June, 1878
		Convention. Copyright French, France Tr. III: 313.	9 June, 1880
	305	Convention. Commerce Convention. Industrial property French, France Tr. III: 319; B. F. S. P. 100: 922.	9 Jan., 1901 24 Aug., 1903	533
Germany.....		Treaty. Commerce English, B. F. S. P. 101: 940.	14 Apr., 1908
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		Convention. Consular Spanish, Martens 64: 257.	1 Mar., 1885
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¹⁰⁸ See p. 757, note 195.¹⁰⁹ See p. 771, note 197.

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		English, B. F. S. P. 95: 1023; Italian, Italy Tr. 1911, II: 788.		
		Convention. Additional to convention of 1897.....	16 Feb., 1906
		Italian, Italy Tr. 1911, II: 789.		
		Convention. Additional to convention of 1897.....	14 July, 1907
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		Convention. Additional to convention of 1897.....	10 Feb., 1914
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		German, Bundesbl. No. 14.		
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		French, Martens 58: 321.		
	86	Convention. Commerce and navigation.....	27 July, 1910	219
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		German, Martens 59: 445.		
		Convention. Industrial models.....	3 July, 1886
		German, Martens 62: 282.		
	332	Treaty. Commerce and customs.....	21 Aug., 1892	590
		Convention. Trade-marks.....do.....
		German, Martens 69: 905.		
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	314	Treaty of peace.....	28 June, 1919	546
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		French, Martens 56: 644; B. F. S. P. 70: 571.		
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		English, Nation 111: 789.		
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		French, Martens 90: 461; Norwegian, Norway Tr. 1914: 185.		
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Spain.....	448	Convention. Commerce.....	5 Nov., 1908	773
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¹¹⁰ See p. 771, note 197.¹¹¹ See p. 176, note 16.¹¹² See p. 187, note 20.¹¹³ See p. 391, note 82.¹¹⁴ See p. 546, note 128.¹¹⁵ See p. 757, note 195.

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		French, Belgium Tr. 1900: 368; B. F. S. P. 74: 677; Busschere 2: 411.		
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Denmark	273	Treaty. Commerce and navigation	21 May, 1858	490
		Convention. Spirituous liquors	25 July, 1883
		English, B. F. S. P. 74: 741; Martens 64: 295.		
		Treaty. Jurisdiction over Danish subjects in Siam	15 Mar., 1913
		English, Martens 92: 674; French, B. F. S. P. 107: 750.		
France	307	Treaty. Commerce and navigation	15 Aug., 1856	537
		Agreement. Spirituous liquors	23 May, 1883
		French, France Tr. III: 354; B. F. S. P. 74: 718; Martens 62: 594.		
		Treaty. Friendship	3 Oct., 1893
		French, France Tr. III: 356; B. F. S. P. 87: 187; Martens 70: 172; 752.		
		Treaty. Interpreting treaty of 1893	13 Feb., 1904
		French, France Tr. III: 357; B. F. S. P. 97: 961; Martens 82: 130.		
		Treaty. Jurisdiction and rights in Siam	23 Mar., 1907
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		English, Hdb. 1912: 802; B. F. S. P. 74: 55; Martens 59: 238; Hertslet 15: 1053.		
		Treaty. Commerce, etc. (Burmah, Chiengmoi, Lakon, Lampoonchi.)	3 Sept., 1883
		English, Hdb. 1912: 805; B. F. S. P. 74: 78; Martens 60: 570.		
		Exchange of notes. Extending treaty of 3 Sept., 1883	Dec., 1884
		English, Hdb. 1912: 812.	Oct., 1896
	188	Treaty. Consular jurisdiction, etc.	10 Mar., 1909	358
Italy	369	Treaty. Friendship, commerce, and navigation	3 Oct., 1868	658
		Declaration. Interpreting Article IX of treaty of 1868	10 Dec., 1868
		Italian, Italy Tr. 1911, II: 833; English, B. F. S. P. 60: 783.		
		Agreement. Spirituous liquors	5 July, 1884
		Italian, Italy Tr. 1911, II: 839; Martens 63: 642; French, B. F. S. P. 76: 298.		
		Convention. Modifying treaty of 3 Oct., 1868	8 Apr., 1905
		Italian, Italy Tr. 1911, II: 844; Martens 85: 539; English, B. F. S. P. 101: 409.		
Japan	381	Treaty. Friendship, commerce, and navigation	25 Feb., 1898	679
		Exchange of notes. Spirituous liquors	do.
		English, Japan Tr. 1918: 421; B. F. S. P. 90: 72.		
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		Convention. Consular (Dutch colonies)	1 Apr., 1867
		French, Lagemans 6:250.		
		Convention. Spirituous liquors	10 Nov., 1883
		French, B. F. S. P. 74: 914; Martens 67: 117.		
Norway	453	Treaty. Friendship, commerce, and navigation	18 May, 1868	781
		Declaration. Spirituous liquors	16 July, 1883
		English, B. F. S. P. 74: 878.		
Portugal	427	Treaty. Friendship, commerce, and navigation	10 Feb., 1859	739
		Convention. Spirituous liquors	14 May, 1883
		French, Martens 64: 54; B. F. S. P. 74: 880.		
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Spain	452	Treaty. Friendship, commerce, and navigation	23 Feb., 1870	779
Sweden	453	Treaty. Friendship, commerce, and navigation	18 May, 1868	781
		Declaration. Traffic in spirituous liquors	16 July, 1883
		English, B. F. S. P. 74: 878.		
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¹¹⁶ See p. 176, note 16.¹¹⁷ See p. 187, note 20.¹¹⁸ See p. 391, note 82.¹¹⁹ See p. 646, note 128.¹²⁰ See p. 757, note 195.

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¹²¹ See p. 290, note 40.^a Terminated. See Appendix.

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^a Terminated. See Appendix.^b Terminated 30 Sept., 1913.

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¹²² See p. 757, note 195.¹²³ See p. 771, note 197.^a Terminated. See Appendix.

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¹²⁴ Treaty of commerce of 2 May, 1911, between Germany and Sweden denounced by Sweden, terminated 16 Mar., 1921. L. N. T. S. 2: 263.

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¹²⁵ See p. 737, note 195.¹²⁶ See p. 771, note 197.^a Terminated. See Appendix.

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		Declaration. Joint-stock companies.....	19 Oct., 1903
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¹²⁷ See p. 757, note 195.¹²⁸ See p. 771, note 197.

a Terminated. See Appendix.

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Austria-Hungary.		Protocol. Turkish customs duties Signed also by France, Germany, Great Britain, Italy, Russia. French, B. F. S. P. 100: 575; Martens 89: 790; Hertlet 25: 1178.	25 Apr., 1907
		Protocol. Commerce (Bosnia, Herzegovina, Sanjak of Novi-Bazar). French, B. F. S. P. 102: 180; Martens 87: 661; English, A. J. I. L. Supp. 3: 286.	26 Feb., 1909
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		Treaty. Commerce French, B. F. S. P. 54: 1048.	1 May, 1841
Egypt.		Agreement. Customs French, B. F. S. P. 82: 752.	18 Dec., 1890
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		Treaty. Commerce and navigation French and Greek, Greece Tr. 1912: 798; French, Martens 81: 532.	12 Apr., 1903

¹²⁹ Not yet ratified.

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¹³⁰ See p. 757, note 195.¹³¹ See p. 771, note 197.¹³² See p. 546, note 128.

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¹³³ See p. 290, note 40.¹³⁴ Concluded with Muscat.¹³⁵ Not yet ratified.

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DIGESTS OF COMMERCIAL TREATIES.

BILATERAL TREATIES.

AMERICA, UNITED STATES OF.

Treaties with Argentina.

No. 1.

Treaty between the United States and Argentina for the free navigation of the Rivers Parana and Uruguay.

SIGNED 10 July, 1853. Ratifications exchanged 20 Dec., 1854. Duration indefinite.

TEXT: United States Tr. I: 18-20; B. F. S. P. 42: 718-20; Spanish, Argentina Tr. 8: 143-50.

I. Most-favored-nation treatment is pledged to the flag and commerce of the United States respecting any favor or immunity which Argentina may grant to the flag or trade of any other nation with reference to free navigation of the Rivers Parana and Uruguay. (Art. VIII.)

II. Other provisions.

(a) Argentina concedes the free navigation of the Rivers Parana and Uruguay to the merchant vessels of all nations (Arts. I-II); even in case of war between any of the States of the River Plate or its confluent, except for munitions of war (Art. VI).

(b) Argentina agrees to maintain beacons and marks to point out the channels (Art. III); and to establish a uniform system of collecting customhouse duties, harbor, light, police, and pilotage dues along the whole course of the waters belonging to her (Art. IV).

(c) Both countries agree to use their influence to prevent the possession of the island of Martin Garcia from being held by any State of the River Plate, or its confluent, which shall not have given its adhesion to the principle of their free navigation. (Art. V.)

No. 2.

Treaty of friendship, commerce, and navigation between the United States and Argentina.

SIGNED 27 July, 1853. Ratifications exchanged 20 Dec., 1854. Duration indefinite.

TEXT: United States Tr. I: 20-4; B. F. S. P. 42: 720-4; Spanish, Argentina Tr. 8: 151-60.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any favor, exemption.

privilege, or immunity which either country may grant in matters of commerce and navigation to the citizens of any other Government, nation, or State. (Art. III.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to enter freely and securely with ships and cargoes, including mail and passenger boats and ships of war, all places, ports, and rivers open to foreign commerce in the other; and to remain there and trade in all articles of lawful commerce; hiring and occupying houses and warehouses for residence and commerce; with complete protection and security of persons and property in all their business, subject to the laws and regulations in force. (Art. II.)

(b) All duties imposed by either country on importation of products of the other, and all prohibitions imposed against importation or exportation of products of either country to or from the other. (Art. IV.)

(c) All duties or charges imposed by either country on exportation of any articles to the other. (Art. IV.)

(d) All privileges, exemptions, and immunities accorded by either country to diplomatic and consular agents. (Art. XI.)

II. National treatment is reciprocally pledged in respect to:

(a) All duties, dues, or charges imposed in ports of either country on vessels of the other on account of tonnage, light, harbor, pilotage, and salvage in case of damage or shipwreck. (Art. V.)

(b) All duties imposed and all drawbacks or bounties allowed on any article imported or exported in vessels of either country to or from territories of the other. (Art. VI.)

(c) Employment of agents in either country by citizens of the other; and remuneration to which persons so employed are entitled. (Art. VIII.)

(d) All rights and privileges in courts of justice in either country for prosecution and defense of just rights, including free and open access thereto, and employment of advocates or other agents therein. (Art. VIII.)

(e) All privileges, liberties, and rights relating to police of the ports, loading and unloading of ships, safety of merchandise and effects, administration of justice, acquisition and disposal of every kind of property in any manner whatever; and all imposts or duties relating to any of these matters, subject to the laws and regulations in force. (Art. IX.)

(f) Payment of ordinary charges, requisitions, or taxes (Art. X), and any demands made by either country upon property or effects of citizens of the other in case of rupture of friendly relations between the two countries. (Art. XII.)

III. Other provisions.

(a) Nationality of vessels of either country to be recognized by the other if carrying ship's papers required by law. (Art. VII.)

(b) Right of citizens of either country to manage their affairs in the other personally or otherwise; and to bargain freely and fix prices in buying or selling any article imported or exported to or from either country. (Art. VIII.)

(c) Administration by consuls of estates of their deceased nationals, conformably with the laws of the country. (Art. IX.)

(d) Citizens of either country are exempt in the other from all compulsory military service, by land or sea, and from all forced loans, requisitions, or military exactions. (Art. X.)

(e) Consular archives and papers of either country to be respected inviolably by magistrates or local authorities in the other. (Art. XI.)

(f) In case of rupture between the two countries, citizens of either residing in the other may remain and continue their occupation or business freely and securely so long as they conduct themselves peaceably and do not transgress the laws. (Art. XII.)

(g) Full protection of citizens of either country in the other, as regards their persons, houses, and properties, including freedom of religious belief and worship in either country, and right to build, establish, and maintain churches and cemeteries. (Art. XIII.)

Treaty with Austria.**No. 3.***Treaty of peace between the United States and Austria.*

SIGNED 24 Aug., 1921, at Vienna. Ratifications exchanged there 8 Nov., 1921. Effective from exchange of ratifications for indefinite term. (Art. III.)
TEXT: U. S. T. S. No. 659.

I. Most-favored-nation treatment is unconditionally pledged by Austria to the United States, and to persons owing permanent allegiance to the United States, with regard to:

(a) All matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights. (Art. I and preamble.)

(b) All matters in respect of which most-favored-nation treatment is pledged by Austria to the Allied and Associated Powers in the treaty of St. Germain-en-Laye, as noted in this volume under No. 63, I *a-f* and II *a-e*. (Arts. I and II.)

II. National or most-favored-nation treatment (optional) is unconditionally pledged to the United States and its nationals in all matters with regard to which the same treatment is pledged by Austria to the Allied and Associated Powers in the treaty referred to, as noted in this volume under No. 63, III *a-h* and IV. (Ibid.)

III. National treatment is pledged to the United States and its nationals in all matters with regard to which the same treatment is pledged by Austria to the Allied and Associated Powers, as noted in this volume under No. 63, V *a-g* and VI. (Ibid.)

IV. Other provisions.

(a) Austria undertakes to accord to the United States all the rights, privileges, indemnities, reparations, or advantages specified in the joint resolution of the Congress of the United States of 2 July, 1921, including all the rights and advantages stipulated for the benefit of the United States in the treaty of peace between Austria and the Allied and Associated Powers, which the United States shall fully enjoy notwithstanding that it has not ratified said treaty. (Art. I.)

(b) It is understood and agreed that:

1. The rights and advantages stipulated in the treaty referred to, which it is intended the United States shall have and enjoy, are those defined in Parts V, VI, VIII, IX, X, XI, XII, and XIV of that treaty; except as noted below under IV *b* 2 and 4. (Art. II, 1.) These articles include all the matters noted in this volume under No. 63, except only the items named under VII *j*, *k*, *n*, *x*, and *z* of that digest.

2. The United States shall not be bound by the provisions of Part I of said treaty, nor by any provisions of that treaty (including those mentioned under IV *b* above) which relate to the covenant of the League of Nations; nor shall the United States be bound by any action taken by the League of Nations or by the council or by the assembly thereof, unless the United States shall expressly give its assent to such action. (Art. II, 2.)

3. The United States assumes no obligations under or with respect to the provisions of Part II (frontiers of Austria), Part III (political clauses for Europe), Part IV (Austrian interests outside Europe), and Part XIII (labor) of that treaty. (Art. II, 3.)

4. While the United States is privileged to participate in the reparation commission, and in any other commission established under said treaty or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so. (Art. II, 4.)

5. The periods of time referred to in Article 381 of the treaty of St. Germain-en-Laye shall run, with respect to any act or election on the part of the United States, from the date of the going into force of the present treaty. (Art. III.)

Treaty with Belgium.

No. 4.

Treaty of commerce and navigation between the United States and Belgium.

SIGNED 8 Mar., 1875. Ratifications exchanged 11 June, 1875. Effective for 10 years, and thereafter indefinitely, subject to termination on 12 months' notice by either party. (Art. XVI.) Art. XII (regarding duties of customs and navigation) is terminable separately at any time on 1 year's notice. (Art. XII.)

TEXT: United States Tr. I: 90-4; B. F. S. P. 66: 116-19; French, Martens 51: 54-7.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any favor, privilege, or immunity which either country may grant in matters relating to duties of customs and navigation. (Art. XII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All duties imposed by either country on importation or re-exportation of products of the other. (Art. XII.)

(b) Treatment of each other's vessels as regards coasting trade between ports of either country. (Art. IV.)

II. National treatment is reciprocally pledged with regard to:

(a) All privileges, immunities, and other favors concerning commerce and industry in either country, and payment of duties, taxes, or imposts relating thereto. (Art. I.)

(b) Security and protection of commerce and navigation between the two countries. (Art. I.)

(c) All duties of tonnage, pilotage, clearance, and all other dues of every description levied in ports of either country on ships of the other, from whatever place arriving and whatever their destination. (Arts. II-III.)

(d) All duties, charges, or restrictions on objects of any kind imported into either country in ships of the other, from whatever place arriving. (Art. V.)

(e) Any duties or formalities imposed upon articles of any description exported from either country in ships of the other. (Art. VI.)

(f) All premiums, drawbacks, and similar favors allowed by either country on goods imported or exported in national vessels, which shall be likewise allowed on goods imported directly from either country by its vessels into the other, or exported from either country by vessels of the other to any destination (Art. VII); except special privileges which either country may grant for importation under its own flag of the produce of national fisheries (Art. VIII.)

(g) Warehouse charges and any formalities imposed in either country on goods imported from the other while awaiting transit,

reexportation, or entry for consumption, to be the same as on goods imported under the national flag. (Art. XI.)

(h) Assistance, protection, and immunities accorded by either country to vessels of the other in case of damage or shipwreck. (Art. XIII.)

III. Other provisions.

(a) Nationality of vessels to be recognized reciprocally if carrying ship's papers issued by competent authorities of either country conformably with its laws. (Art. IX.)

(b) Vessels of either country in ports of the other may retain on board parts of their cargoes destined for a foreign country without being subject to any charges whatever, except those for prevention of smuggling. (Art. X.)

(c) During period allowed by law for warehousing, no duties other than of watch and storage shall be levied in either country on articles brought from the other while awaiting transit, reexportation, or entry for consumption. (Art. XI.)

(d) Exemption from transit duty in either country of permitted articles coming from or going to the other; subject to limitations regarding transit routes, and to regulations for protection of the revenue, etc. (Art. XIV.)

(e) Detailed provision concerning reciprocal protection of trademarks. (Art. XV.)

Treaty with Bolivia.

No. 5.

Treaty of peace, friendship, commerce, and navigation between the United States and Bolivia.

SIGNED 13 May, 1858. Ratifications exchanged 9 Nov., 1862. Effective for 10 years, and thereafter indefinitely, subject to termination by 12 months' notice from either party. (Art. XXXVI.)

TEXT: United States Tr. I: 113-25; B. F. S. P. 48: 759-71; Spanish, Bolivia Tr. Vig.: 289-309.

I. Most-favored-nation-treatment is reciprocally but conditionally pledged in general terms (subject to exceptions noted below) respecting any particular favor which either country may grant in navigation or commerce (Art. II); except the coasting trade of both countries (Art. III); and except privileges concerning navigation of rivers presenting obstructions (Art. II).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to frequent with their vessels all coasts, ports, and places of the other where foreign commerce is permitted. (Art. III.)

(b) All duties imposed by either country on importation of products of the other, also any prohibitions imposed against importation or exportation of products of either country to or from the other. (Art. VI.)

(c) All duties or charges imposed by either country on exportation of any articles to the other. (Art. VI.)

(d) All favors, immunities, exemptions, or privileges accorded by either country to envoys, ministers, and other public agents. (Art. XXX.)

(e) Appointment of consular officers in ports open to foreign commerce in either country, and all rights, prerogatives, and immunities accorded to them. (Art. XXXI.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Freedom of citizens of either country in all ports of the other to trade in any goods or products not prohibited to all. (Art. III.)

(b) Importation and exportation. Any products of foreign countries which may lawfully be imported into, and any articles which may lawfully be exported or reexported from either country in its own vessels, may likewise be imported, exported, or reexported in ships of the other from whatever place arriving and for any foreign destination without paying higher or other duties on tonnage of the vessel and her cargo and subject to the same bounties, duties, and drawbacks as when carried in national vessels or those of the most-favored-nation. (Art. IV.)

(c) Right of citizens of either country in all ports and places subject to jurisdiction of the other to manage their own business as regards consignment and sale of goods and merchandise by wholesale or retail, and loading, unloading, or dispatching of ships. (Art. VII.)

(d) Bolivia further engages to accord to citizens of the United States who may establish a line of steamships for regular service between ports and bays of Bolivia the same privileges and favors enjoyed by any other association or company of the same character. Steamships of either country shall not be subjected in ports of the other to any duties of tonnage, harbor, or other similar duties whatsoever than those payable by any other association or company. (Art. VIII.)

(e) Imposts and contributions payable on account of commerce or property by consular officers and persons attached to consulates, not being citizens of the country in which they reside. (Art. XXXIII.)

III. National treatment is reciprocally pledged in regard to:

(a) Any taxes, imposts, and municipal or police regulations concerning the opening of retail stores and shops in either country by citizens of the other. (Art. III.)

(b) Tonnage duties or port charges payable by vessels of either country loading or discharging foreign cargo at different ports of the other on the same voyage, but the coasting trade of both countries is reserved for regulation by their respective laws. (Art. III.)

(c) Right of citizens of either country to travel in any part of the other, with the same security and protection as natives of the country, on condition of submitting to the laws, decrees, and ordinances in force. (Art. III.)

(d) Assistance and protection by either country to vessels of the other in case of damage or shipwreck. (Art. X.)

(e) Disposal of or succession to personal property in any manner, by will or otherwise, and payment of duties or charges relating thereto. (Art. XII.)

(f) Access to courts of justice in either country, and employment of advocates and other agents therein; also rights of judicial procedure described. Citizens of either country engaging in internal political questions are subject to the same measures of punishment and precaution as citizens of the country where they reside. (Art. XIII.)

IV. Other provisions.

(a) Citizens of either country may reside in all parts of the other, their dwellings and warehouses and everything belonging thereto being exempt from any arbitrary visits or search. No examination of their books, papers, or accounts shall be made without the legal order of a competent tribunal or judge. They shall further be exempt from all forced loans and occasional contributions and from liability to embargo or detention with their vessels and property for any military expedition or other public purpose without full indemnification paid in advance. (Art. III.)

(b) Assistance and protection to vessels of either country seeking refuge or asylum in rivers, ports, or dominions of the other. (Art. IX.)

(c) Special protection is assured to citizens of either country in the other as regards their persons and property. (Art. XIII.)

(d) Bolivia regards the Amazon and La Plata with their tributaries as highways or channels open by nature for the commerce of all nations, and invites commercial vessels of all nations to navigate freely in any part of their course pertaining to her, subject only to the conditions established by this treaty, and regulations made in accordance therewith. (Art. XXVI.) All places on these tributa-

ries accessible to vessels adapted to shoal river navigation or other vessels of the United States shall be considered as ports open to foreign commerce and subject to the provisions of this treaty. (Art. XXVII.)

(e) In case of war, merchants of either country residing in the other have from six to twelve months to wind up their business and leave the country. Citizens of other occupations may remain in full enjoyment of their personal liberty and property, unless by their conduct they forfeit this protection (Art. XXVIII); their property of specified kinds to be exempt from sequestration or confiscation (Art. XXIX).

(f) Detailed and extensive provisions relating to freedom of conscience and religion, and right of burial (Art. XIV); neutrality (Arts. XV–XVI); contraband (Arts. XVII–XIX); blockade (Art. XX); visit and search (Arts. XXI–XXIII); prize courts (Art. XXIV); privateers (Art. XXV).

(g) Consular officers, etc., of either country are exempt in the other from all kinds of imposts and contributions, except those imposed on account of commerce or property. Consular archives and papers to be respected inviolably. (Art. XXXIII.)

(h) Citizens of either country to be personally responsible for infringement of any article of this treaty. (Art. XXXVI.)

V. Exceptions.

(a) Nothing in this treaty shall be construed or operate contrary to former and existing public treaties with other sovereigns and States. (Art. XXXVI.)

(b) Provisions of this treaty do not apply to navigation and coasting trade between one port and another in the territory of either country. (Art. III.)

(c) As regards navigation of rivers, the most-favored-nation provision in Article II of this treaty applies only to concessions for navigating fluvial streams which do not present obstructions. (Art. II, note.)

Treaty with Borneo.

No. 6.

Convention of amity, commerce, and navigation between the United States and Borneo (British protectorate territory).

SIGNED 23 June, 1850. Ratifications exchanged 11 July, 1853. Duration indefinite.

TEXT: United States Tr. I: 130–2; Martens 44: 417–20.

I. Most-favored-nation treatment is reciprocally pledged in general terms regarding all privileges or advantages which either country may grant with respect to commerce or otherwise. (Art. II.)

II. Other provisions.

(a) Citizens of the United States may acquire in Borneo all kinds of property by purchase, rent, or in any other legal way, and shall enjoy full protection and security for themselves and their property. (Art. III.)

(b) No article whatever shall be prohibited from being imported into or exported from Borneo. (Art. IV.)

(c) American vessels entering ports of Borneo shall pay a duty of \$1 per registered ton, which shall be in lieu of all other charges or duties whatsoever. American trade and goods are exempt from any internal duties or injurious regulations in Borneo. (Art. V.)

(d) No duty whatever shall be levied in Borneo on exportation of any of its products. (Art. VI.)

(e) Right of American ships of war to enter ports and rivers of Borneo, and to provide themselves with supplies at a fair and moderate price. (Art. VII.)

(f) Assistance and protection to be given to American vessels wrecked on coasts of Borneo and to persons and property of all on board. (Art. VIII.)

(g) Exclusive jurisdiction of the American consul in case of crimes committed by American citizens in Borneo and of all civil disputes to which an American is party. (Art. IX.)

Treaty with Brazil.

No. 7.

Preferential tariff arrangement between the United States and Brazil.

CONCLUDED in 1904, and since 1906 authorized annually. The concessions for the year 1921 were authorized by article 60, of the budget law of 31 Dec., 1920, and were made effective by Brazilian presidential decree of 9 Mar., 1921.^a

TEXT: Portuguese, Brazil D. O. 12 Mar., 1921.

"During the current fiscal year the following American goods shall enjoy a reduction in import duties as hereby prescribed: Wheat flour, 30 per cent; and a reduction of 20 per cent on the following articles: Condensed milk; rubber articles as per article 1033 of the tariff; clocks; dyes as per article 173 of the tariff (except writing inks); varnishes; typewriting machines; refrigerators; pianos; balances; windmills; cement; corsets; dried fruits; school furniture; writing desks."

For a brief outline history of the above preferentials down to 1916, see United States Department of Commerce, Tariff Series No. 34: 121-2.

^a Continued for 1922 without change, by presidential decree of 4 Jan., 1922.

Treaties with China.¹

No. 8.

Treaty of peace, amity, and commerce between the United States and China.

SIGNED 18 June, 1858. Ratifications exchanged 16 Aug., 1859. Duration indefinite. Substituted for treaty of 3 July, 1844, so far as provisions relate to identical subjects. (United States Tr. I: 196, note.) Art. XVIII has been terminated, as from 1 July, 1916. (U. S. 66th Cong., 1st sess., S. Doc. No. 2: 2.)

TEXT: United States Tr. I: 211-32; Hertslet's China Tr. I: 540-52.

I. Most-favored-nation treatment is pledged in general terms by China to the United States, its public officers, merchants, and citizens respecting any right, privilege, or favor concerning navigation, commerce, and political or other intercourse. (Art. XXX.)

Most-favored-nation treatment is further pledged in regard to:

(a) Right of representative of the United States to reside at the Chinese capital. (Art. VI.)

(b) Duties payable by United States citizens on imports or exports of goods to or from China. (Art. XV.)

II. Other provisions.

(a) Reception and intercourse of diplomatic representatives in China. (Arts. IV-VIII.)

(b) Right of United States to appoint consuls in China. (Art. X.)

(c) Protection of United States citizens in China. Crimes by Chinese against Americans to be punished by Chinese authorities under Chinese law; wrongs by Americans against Chinese, by American officials under American law. (Art. XI.)

(d) Right of United States citizens to rent houses and places of business, or sites on which to build houses, hospitals, churches, and cemeteries at any port open to foreign commerce. (Art. XII.)

(e) Assistance to American vessels wrecked or plundered on the coast of China. (Art. XIII.)

(f) Residence and trade permitted to Americans at the ports of Canton, Chau-chau, Amoy, Fuh-chau, Tai-wan, Ningpo, Shanghai, and any port or place thereafter opened by treaty with any power. (Art. XIV.)

(g) Right of Americans to engage pilots, servants, linguists, laborers, seamen, etc. (Art. XVII.)

(h) Formalities regarding ship's papers, etc., on arrival of merchant vessels in Chinese ports. (Art. XIX.)

¹Art. XVII of the treaty of 8 Oct., 1903, provides that the treaties which were in force on 1 Jan., 1900, between United States and China shall continue in full force and effect, except in so far as modified by that treaty, or by other treaties to which the United States is a party. (United States Tr., I: 269; Martens, 81: 596.)

(i) Customs examinations: Disputes to be referred to United States consul. (Art. XX.)

(j) Procedure concerning reexportation of merchandise from Chinese ports. (Art. XXI.)

(k) Written permits required for transshipment of goods at Chinese ports. (Art. XXIII.)

(l) Collection of debts in local consular courts. (Art. XXIV.)

(m) Officers and citizens of the United States may purchase all manner of books in China, and employ Chinese subjects to teach languages and assist in literary labors. (Art. XXV.)

(n) American jurisdiction of controversies occurring in China between American citizens. Controversies between Americans and subjects of other Governments to be regulated by treaties between the United States and such Governments. (Art. XXVII.)

(o) Consular supervision of communications of Americans with Chinese local officers. Controversies between Chinese and Americans to be examined and decided by officers of the two nations conjointly. (Art. XXVIII.)

(p) Freedom of Americans and Chinese converts to teach and practice the principles of Christianity. (Art. XXIX.)

No. 9.

Treaty of trade, consuls, and emigration between the United States and China.

SIGNED 28 July, 1868. Ratifications exchanged 23 Nov., 1869. Duration indefinite.

TEXT: United States Tr. I: 234-6; Hertslet's China Tr. I: 554-7.

I. Most-favored-nation treatment is reciprocally pledged to citizens of either country in the other with regard to:

(a) All privileges, immunities, or exemptions concerning travel or residence.² But this shall not be held to confer naturalization upon citizens of either country in the other. (Art. VI.)

(b) All privileges of the public educational institutions under the control of the government in either country. (Art. VII.)

² The most-favored-nation provisions of this treaty concerning travel and residence (noted above under Ia) were modified by the immigration treaty of 17 Nov., 1880, between the United States and China in the following respects:

(a) China agrees that the United States may reasonably regulate, limit or suspend, but not absolutely prohibit, the coming of Chinese laborers to the United States, and their residence therein. (Art. I.)

(b) Chinese subjects proceeding to the United States as teachers, students, merchants, or from curiosity, and Chinese laborers already settled in the United States, are entitled to all the rights, privileges, immunities, and exemptions accorded to citizens and subjects of the most-favored nation. (Arts. II-III.) (United States Tr. I: 237-9.)

II. Other provisions.

(a) Affirmation of China's right of eminent domain over land and waters where subjects of foreign powers are permitted to reside or trade. Grants by China to the United States or its citizens of rights in land shall not divest the Chinese authorities of their right of jurisdiction over persons and property thereon, except so far as that right may have been expressly relinquished by treaty. (Art. I.)

(b) Both countries agree that any privilege or immunity concerning trade or navigation in China not stipulated for by treaty is subject to the discretion and regulation of the Chinese Government, but not in a manner incompatible with treaty stipulations of the parties. (Art. II.)

(c) Consuls of China at ports of the United States to enjoy the same privileges and immunities as those of Great Britain and Russia. (Art. III.)

(d) Liberty of conscience and religious freedom pledged to nationals of each country in the other, including protection for their cemeteries. (Art. IV.)

(e) Both countries agree to pass laws penalizing involuntary or forced emigration from either country. (Art. V.)

(f) Right of nationals of either country to establish schools in the other. (Art. VII.)

(g) Whenever China may decide to construct railroads, telegraphs, or other material internal improvements, the United States pledges assistance by designating and authorizing suitable engineers to be employed by the Chinese Government. (Art. VIII.)

No. 10.

Treaty between the United States and China regarding commercial intercourse and judicial procedure.

SIGNED 17 Nov., 1880. Ratifications exchanged 19 July, 1881. Duration indefinite.

TEXT: United States Tr. I: 239-41; Martens 61: 728-9; Hertslet's China Tr. I: 560-2.

I. National or most-favored-nation treatment (optional) is reciprocally pledged as follows:

(a) No other or higher tonnage dues, or duties for imports or exports, or coastwise trade, shall be imposed in open ports of China upon American vessels and their cargoes imported into China from any source, or exported from China for any destination, or transported from one open port of China to another, than are imposed on vessels or cargoes of any other nation, or on those of Chinese subjects. (Art. III.)

(b) Similarly, no other or higher tonnage dues or duties for imports shall be imposed in ports of the United States on Chinese vessels coming from or going to any open port of China, or on merchandise imported by them from China or any foreign country, than are imposed on vessels of other nations, or on vessels and cargoes of citizens of the United States. (Art. III.)

II. Other provisions.

(a) The nationals or vessels of either country are prohibited from importing opium into the other; citizens of the United States being further forbidden to buy or sell opium in any open port of China, or to transport the same from one open port to another. This absolute prohibition shall be enforced by appropriate legislation on both sides. The benefits of the favored-nation clause in existing treaties can not be claimed by nationals of either country as against the provisions of this article. (Art. II.)

(b) Controversies arising in China between Americans and Chinese to be tried by officials of defendant's nationality in accordance with the law of defendant's country; but authorized officials of plaintiff's nationality may take part in the proceedings. (Art. IV.)

No. 11.

Treaty regarding commercial relations between the United States and China, as revised by supplementary treaty of 20 Oct., 1920.³

SIGNED 8 Oct., 1903, at Shanghai. Ratifications exchanged 13 Jan., 1904. Effective from exchange of ratifications for successive periods of 10 years, subject to revision at the end of each 10-year period on demand from either party. (Art. XVII.)

TEXT: United States Tr. I: 261-90; Martens 81: 587-98; Hertslet's China Tr. I: 566-78.

I. Most-favored-nation treatment is pledged in regard to:

(a) All prerogatives, privileges, and immunities to be accorded in either country to diplomatic representatives of the other. (Art. I.)

(b) Attributes, privileges, immunities, and jurisdiction of consular officers of either country in the other. (Art. II.)

(c) Rights, privileges, and immunities of American citizens residing in Chinese ports or places open to foreign residence and trade, as regards their persons and property. (Art. III.)

(d) Duties payable in either country by citizens of the other, with special reference to tariff duties on goods imported. (Art. V.)

(e) Right of citizens, firms, and corporations of the United States to engage in conveyance of passengers and lawful merchandise on navigable inland waters of the Chinese Empire. (Art. XII.)

³ U. S. T. S. No. 657.

II. National and most-favored-nation treatment is pledged by China as regards regulations and conditions to be imposed on citizens of the United States desiring to engage in mining operations and other necessary business relating thereto, with special reference to renting of mineral land, payment of royalty, etc. (Art. VII.)

III. Other provisions.

(a) American citizens are permitted to reside, trade, or pursue any lawful avocation in ports and places of China open to foreign residence and trade, and within localities set apart for foreigners may rent or purchase buildings and rent or lease land in perpetuity and build thereon. (Art. III.)

(b) Abolition of *likin* and other transit dues in China. Surtax on imports not to exceed one and one-half times the import duties. Export duties (including surtax) not to exceed $7\frac{1}{2}$ per cent ad valorem. Procedure detailed. (Art. IV.)

(c) Tariff duties payable by citizens of the United States on goods imported into China to be as set forth in schedule annexed to supplementary treaty of 20 Oct., 1920,³ but in no case other or higher than paid by subjects of most-favored nations. (Art. V.)

(d) Right of United States citizens to establish bonded warehouses at open ports for purposes named and subject to conditions stated. (Art. VI.)

(e) Revision of mining regulations by China, with a view to attracting foreign capital. (Art. VII.)

(f) Drawback certificates issued by China, to be receivable in payment of all duties (except tonnage duties) or redeemable in ready money at port of issue. (Art. VIII.)

(g) Protection in either country of trade-marks, patents, and copyrights belonging to subjects of the other. (Arts. IX–XI.)

(h) Opening of Mukden and Antung to foreign residence and trade. (Art. XII.)

(i) China agrees to provide for uniform national coinage which shall be legal tender in payment of all duties, taxes, or other obligations throughout the Empire. (Art. XIII.)

(j) Protection of Americans and Chinese converts, teaching and professing the Christian religion in China, with permission to American missionary societies to lease land in perpetuity and to erect buildings in all parts of China for missionary purposes. (Art. XIV.)

(k) The United States agrees to relinquish its extraterritorial rights when satisfied that the state of the Chinese laws, their administration, etc., warrant it in so doing. (Art. XV.)

(l) Prohibition of the import of morphia into China and of instruments for its injection, except for medical purposes. China

³ U. S. T. S. No. 657.

undertakes to prevent domestic manufacture of morphia and of instruments for its injection. (Art. XVI.)

(m) Treaties in force on 1 Jan., 1900, are confirmed and continued in force, except as modified by the present treaty or by other treaties to which the United States is a party. (Art. XVII.)

(n) Revised import tariff annexed to the treaty of 20 Oct., 1920,³ containing extensive schedules of tariff duties payable on goods imported into China. (Annex I.)

(o) Revised rules concerning customs valuation of merchandise imported into China; exemption of specified articles from import duty; prohibition or restriction of import trade in salt, arms and munitions of war, and in opium and other articles named. (Supp. tr.,³ Annex II.)

Treaties with Colombia (New Granada).

No. 12.

Treaty of peace, amity, navigation, and commerce between the United States and Colombia (New Granada).

SIGNED 12 Dec., 1846. Ratifications exchanged 10 June, 1848. Effective for 20 years, and thereafter until terminated by 12 months' notice from either party. (Art. XXXV.) Art. XXXIII terminated as from 1 July, 1916. (U. S., 66th Cong., 1st sess., S. Doc. No. 2: 3.)

TEXT: United States Tr. I: 302-14; Spanish and English, Colombia Tr. Pub. 1883 I: 38-57; German, Martens 42: 653-69.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms (subject to exception noted below) respecting any favor which either country may grant in matters of commerce and navigation. (Art. II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All duties levied by either country on importation of products of the other, from whatever place arriving, and any prohibitions imposed by either country against importation or exportation of products of either country to or from the other. (Art. V.)

(b) All duties or charges imposed by either country on exportation of any articles to the other. (Art. V.)

(c) Treatment of vessels of either country and their cargoes in ports of the other, from whatever place arriving, and whatever the origin of the cargoes; with special reference to payment of duties. (Art. VI.)

(d) All favors, immunities, exemptions, or privileges accorded by either country to envoys, ministers, and other public agents. (Art. XXIX.)

(e) All rights, prerogatives, and immunities accorded to consular agents in ports open to foreign commerce in either country. (Art. XXX.)

³ U. S. T. S. No. 657.

II. National or most-favored-nation treatment (optional) is reciprocally pledged to citizens of either country, in all ports and places subject to jurisdiction of the other, respecting the right to manage their own business as regards consignment and sale of merchandise by wholesale or retail, and loading, unloading, or dispatching of ships. (Art. VII.)

III. National treatment is reciprocally pledged in general terms respecting all rights, privileges, and exemptions concerning navigation and commerce; except the coasting trade of either country, which is reserved for regulation by their respective laws. (Art. III.)

National treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to frequent all coasts and countries of the other and to reside and trade there in all kinds of produce and merchandise, on submitting to the laws and established usages of the country. (Art. III.)

(b) Importation and exportation: Any article of commerce which may be lawfully imported into or exported from either country in its own vessels may likewise be imported, exported, or reexported in ships of the other, from whatever place arriving, without paying higher or other duties on tonnage of the vessel and her cargo and subject to the same bounties, duties, or drawbacks as when carried in national vessels. (Art. IV.)

(c) Assistance and protection by either country to vessels of the other in case of damage or shipwreck. (Art. XI.)

(d) Disposal of, or succession to, real and personal property in either country, by will or otherwise, and payment of dues relating thereto. (Art. XII.)

(e) Protection of persons and property of each other's citizens, including open access to courts of justice, employment of advocates, and rights of judicial procedure. (Art. XIII.)

(f) National treatment is further pledged to the citizens, vessels, and merchandise of the United States in ports of Colombia (including those of the Isthmus of Panama) respecting all exemptions, privileges, and immunities concerning commerce and navigation with special reference to passengers, correspondence, and merchandise of the United States in transit from sea to sea, and any dues, tolls, or charges relating thereto. (Art. XXXV.)

IV. Other provisions.

(a) Exemption of each other's citizens and their vessels, cargoes, etc., from any embargo or detention for any military expedition or other purpose, unless sufficient indemnification is made. (Art. VIII.)

(b) In case of war between the two countries, merchants of either residing in the other shall have from 6 to 12 months to arrange their business and transport their effects, and safe conduct to port. Citi-

zens of other occupations may remain in full enjoyment of their personal liberty and property, unless by their conduct they forfeit this protection. (Art. XXVII.)

(c) Reciprocal exemption from sequestration or confiscation of debts, shares, or money in event of national differences between the two countries. (Art. XXVIII.)

(d) Exemptions of lawful merchandise belonging to citizens of the United States from all import duties when passing from sea to sea across the Isthmus of Panama for exportation to any foreign country. (Art. XXXV.)

(e) Reciprocal guarantees concerning the Isthmus of Panama with reference to transit, neutrality, and rights of sovereignty and property. (Art. XXXV.)

(f) Extensive and detailed provisions concerning ships in distress (Art. IX); piracy (Art. X); freedom of religion (Art. XIV); neutrality, contraband, blockade, visit and search, prizes, etc. (Arts. XV-XXV).

V. Exceptions.—The coasting trade of both countries is reserved for regulation by their respective laws. (Art. III.)

No. 13.

Treaty for settlement of differences between the United States and Colombia.

SIGNED 6 Apr., 1914. Ratification (with amendments) advised by the United States Senate 19 Apr., 1921. Ratified by Colombia 22 Dec., 1920. Ratifications exchanged, 1 Mar., 1922.

TEXT: Cong. Rec. 61:378-80.

This treaty stipulates that:

(a) Products and mails of Colombia passing through the canal shall be exempt from any charge or duty not payable by the products and mails of the United States. (Art. I, 2.)

(b) Colombian products, such as cattle, salt, and provisions, shall be admitted into the Canal Zone and the islands and mainland occupied by the United States as auxiliary and accessory thereto, but without paying other duties or charges than those payable by similar products of the United States. (Art. I, 2.)

(c) Colombian citizens crossing the Canal Zone shall be exempt from every toll, tax, or duty to which citizens of the United States are not subject. (Art. I, 3.)

(d) Whenever traffic by the canal is interrupted or it becomes necessary for any reason to use the railway the officers, agents, employees, troops, materials of war, products, and mails of Colombia shall be carried by rail on the same terms and paying only the same charges and duties as the officers, agents, employees, troops, materials of war, products, and mails of the United States. (Art. I, 4.)

(e) Colombia shall be at liberty to transport its troops, materials of war, and ships of war through the canal without paying any charges to the United States. (Art. I, 1.)

(f) Coal, petroleum, and seasalt, being products of Colombia and for Colombian consumption, passing to or from the Atlantic coast of Colombia from or to any Colombian port on the Pacific coast shall, whenever traffic by the canal is interrupted, be transported over the railway free of any charge except actual cost of handling and transportation, which shall not in any case exceed one-half the ordinary freight charges on similar products of the United States passing over the railway and in transit from one port to another of the United States. (Art. I, 5.)

(g) The United States agrees to pay Colombia the sum of \$25,000,000 gold. (Art. II.)

(h) Colombia recognizes Panama as an independent nation, within boundaries stated. In consideration of this recognition the United States undertakes to assist in settling all differences between Colombia and Panama in the manner described. (Art. III.)

Treaty with Costa Rica.

No. 14.

Treaty of friendship, commerce, and navigation between the United States and Costa Rica.

SIGNED 10 July, 1851. Ratifications exchanged 26 May, 1852. Duration indefinite; but Arts. IV, V, and VI (dealing with customs duties, shipping dues, bounties, drawbacks, etc.) are terminable by 12 months' notice from either party. (Art. XIII.)

TEXT: United States Tr. I: 341-6; Martens 45 (pt. 1): 113-19; Spanish and English. Costa Rica Tr. 1907: 47-55.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any favor, privilege, or immunity whatever which either country may grant in matters of commerce and navigation (Art. III), except the coasting trade of both countries, which is reserved for national vessels. (Art. II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to enter with ships and cargoes (including mail boats and war ships) all places, ports, and rivers open to foreign commerce in territories of the other; to remain and reside there, and to hire and occupy houses and warehouses, with complete protection and security for commerce in all respects, subject to the laws and statutes in force. (Arts. II-III.)

(b) All duties imposed by either country on importation of products of the other; also any prohibitions against importation or exportation of products of either country to or from the other. (Art. IV.)

(c) All duties imposed by either country on exportation of any articles to the other. (Art. IV.)

(d) All privileges, exemptions, and immunities conceded by either country to diplomatic and consular agents. (Art. X.)

II. National treatment is reciprocally pledged in respect to:

(a) All duties or payments on account of tonnage, light, harbor, pilotage, salvage, and all other local charges levied in ports of either country on ships of the other. (Art. V.)

(b) All duties, bounties, or drawbacks on importation or exportation of products of either country to or from the other, whether carried in vessels of either nation. (Art. VI.)

(c) Right of citizens of either country to manage their affairs in the other, personally or otherwise, in any capacity, without remuneration to persons employed other than native citizens' pay; also right to buy, sell, and fix price of goods exported or imported. (Art. VII.)

(d) Full protection for persons and property in either country, including open access to courts of justice and employment of advocates or others therein. (Art. VII.)

(e) All privileges, liberties, rights, duties, and imposts relating to police of the ports; loading and unloading of ships; safety of merchandise, goods, and effects; administration of justice, acquisition and disposal of or succession to personal property by will or otherwise; subject in all these matters to the laws and regulations in force. (Art. VIII.)

(f) Ordinary charges, requisitions, or taxes imposed by either country on resident citizens of the other; also any charges or demands upon property in case of rupture or war between the two countries. (Arts. IX and XI.)

III. Other provisions.

(a) Exemption of each other's citizens from all compulsory military service by sea or land, and from all forced loans and military exactions or requisitions. (Art. IX.)

(b) In case of rupture or war between the two countries, citizens of either residing in the other may remain and continue their trade or employment without interruption, so long as they behave peaceably and commit no offense against the laws. In case they prefer to leave the country, they have from six to twelve months to dispose of their property, and safe-conduct to port, their property of all kinds being exempt from seizure, sequestration, detention, or confiscation. (Art. XI.)

(c) Freedom of religious belief and worship, including right to establish churches and cemeteries. (Art. XII.)

IV. Exceptions.

The coasting trade of both countries is reserved for their respective national vessels. (Art. II.)

Treaty with Cuba.**No. 15.***Commercial convention between the United States and Cuba.*

SIGNED 11 Dec., 1902. Ratifications exchanged 31 Mar., 1903. Terminable by one year's notice from either party (Art. XI), or by six months' notice under conditions stated (Art. X).

TEXT: United States Tr. I: 353-7; Martens 81: 473-7; Spanish, Cuba Conv. 1903-8: 83-8.

I. Most-favored-nation treatment is reciprocally pledged regarding consular fees which either country may establish for issuing shipping documents (Art. V); and respecting any tax or charge which national or local authorities of either country may impose upon articles of merchandise embraced in provisions of this convention subsequent to their importation and prior to their entering into consumption (Art. IX).

II. Other provisions.

(a) Continued duty-free admission into either country of all products of the other which were so admitted in 1903. (Art. I.)

(b) All products of either country not admitted into the other free of duty in 1903 are to be reciprocally admitted at a reduction of 20 per cent of the regular rates of duty thereon. (Arts. II-III.)

(c) United States products specified in Schedules A, B, and C of this convention to be admitted into Cuba at reductions of 25, 30, and 40 per cent, respectively. (Art. IV.)

(d) Any laws or regulations adopted by either country to protect the revenues, or for the purpose of proving that the articles concerned are truly products of the other country, shall not impose any additional charge or fees on such articles, except consular fees for issuing shipping documents. (Art. V.)

(e) Tobacco in any form, of the United States or any of its insular possessions, shall not enjoy the benefit of any concession or rebate of duty when imported into Cuba. (Art. VI.)

(f) Similar articles of both countries to receive equal treatment on their importation into each other's ports. (Art. VII.)

(g) The rates of duty granted by either country to the other in this treaty shall be preferential in respect to all like imports from other countries. Provided that Cuban sugar shall not be admitted into the United States at a greater reduction than 20 per cent of the rates of duty thereon provided by the United States tariff act of 1897; and no sugar the product of any other foreign country shall be admitted by treaty or convention into the United States at a lower rate of duty than that provided by the said act of 1897. (Art. VIII.)

(h) Provision for termination of this convention after six months' notice in case of changes in the tariff of either country which deprive the other of the advantage represented by the percentages agreed upon. (Art. X.)

Treaties with Denmark.

No. 16.

Convention of friendship, commerce, and navigation between the United States and Denmark.

SIGNED 26 Apr., 1826. Ratifications exchanged 10 Aug., 1826. Effective for 10 years and thereafter indefinitely, subject to termination by 12 months' notice from either party. (Art. XI.) Terminated by notice of 15 Apr., 1856, but renewed (except Art. V) by the convention of 11 Apr., 1857. (Art. V.)

TEXT: United States Tr. I: 373-7; French, Martens 14 (pt. 2): 919-24.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms (subject to exceptions noted below) respecting any particular favor which either party may grant in matters of commerce and navigation. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All duties imposed by either country on importation of products of the other. (Art. IV.)

(b) Any duties imposed by either country on exportation of any articles to the other. (Art. IV.)

(c) Any prohibitions against importation or exportation of products of either country to or from the other. (Art. IV.)

(d) All rights, privileges, and immunities accorded to consuls and consular agents in either country. (Art. VIII.)

II. National treatment is reciprocally pledged in respect to:

(a) All rights, privileges, and exemptions concerning reciprocal access to all coasts and countries of either nation (subject to exceptions noted below under IV), with right to reside and trade there in all articles of commerce; subject to the laws and usages of the country. (Art. II.)

(b) Importation and exportation: Any article of commerce which may lawfully be imported into or exported from either country in its own vessels may likewise be imported, exported, or reexported in ships of the other without paying higher or other duties on tonnage of the vessel or her cargo, and subject to the same bounties, duties, and drawbacks as when carried in national vessels (Art. III), including trade of Danish West Indies with the United States or with foreign countries, but subject to exceptions noted below under IV (Arts. II and VI.)

(c) All charges of any kind imposed in ports of either country on ships of the other. (Art. III.)

(d) All duties, charges, or taxes of any kind levied in either country on citizens of the other upon removal of their personal property, money, or effects from territories of either country, whether through inheritance of such property or otherwise. (Art. VII.)

III. Other provisions of this treaty relate to qualifications and privileges of consular officers in either country. (Arts. IX-X.)

IV. Exceptions.—Provisions of this treaty do not apply to:

(a) The coasting trade of either country, which is reserved for regulation by their respective laws. (Art. II.)

(b) Iceland, Greenland, the Faroe Islands, and places “beyond the Cape of Good Hope.” (Art. VI.)

No. 17.

Convention between the United States and Denmark discontinuing sound dues.

SIGNED 11 Apr., 1857.

TEXT: United States Tr. I: 330-3; Martens 46 (pt. 1): 210-13.

By this convention, free navigation of American vessels through the sound and belts, without any charge upon vessels or cargoes, was forever secured in consideration of \$393,011 paid once for all by the United States to Denmark. (Arts. I-III.) Most-favored-nation treatment is pledged by Denmark to American nationals, their vessels and property, regarding any other privileges, rights, or advantages in matters of commerce and navigation which Denmark may grant at the sound and belts, on her coasts and in her harbors, with reference to transit by land through Danish territory of merchandise belonging to American nationals. (Art. IV.)

Treaty with Egypt.

No. 18.

Commercial agreement and customs regulations between the United States and Egypt.

SIGNED 16 Nov., 1884. Duration indefinite.

TEXT: United States Tr. I: 442.

I. Most-favored-nation treatment is pledged by Egypt to the citizens and vessels of the United States regarding all rights, privileges, or immunities in matters of commerce and navigation which Egypt may grant to any other foreign power.

II. Other provisions.

The United States consents that the regulations of the Egyptian customs applicable to Greek subjects, vessels, commerce, and navi-

gation by virtue of the convention of 3 Mar., 1884,⁴ between Greece and Egypt may also be applied to citizens of the United States, their vessels, commerce, and navigation.

Treaty with Ethiopia (Abyssinia).

No. 19.

Treaty between the United States and Ethiopia (Abyssinia) to regulate and develop commercial relations.

SIGNED 27 June, 1914. Ratification of United States notified to Ethiopia 20 Dec., 1914. Effective for a term of 4 years from 19 Sept., 1914, and thereafter for successive periods of 10 years, subject to termination at the close of each period by 12 months' notice from either party. (Art. VI.) This treaty replaces that of 27 Dec., 1903.

TEXT: U. S. T. S. No. 647; B. F. S. P. 108: 874-5.

I. Most-favored-nation treatment is reciprocally pledged in general terms regarding any advantages which either country may accord in respect to customs duties, imposts, and jurisdiction. (Art. III.)

II. National or most-favored-nation treatment (optional) is pledged by Ethiopia to the citizens of the United States regarding use of telegraphs, posts, and all other means of transportation throughout the extent of the Ethiopian Empire. (Art. IV.)

III. Other provisions.

(a) The citizens of either country, "like the citizens of other countries," may freely travel and transact business throughout the territories of the other. (Art. I.)

(b) The two Governments shall assure throughout their respective territories the security of those engaged in business therein and of their property. (Art. II.)

(c) Each Government agrees to receive acceptable representatives of the other. Unacceptable diplomatic representatives shall be replaced. (Art. V.)

Treaties with France.

No. 20.

Convention of navigation and commerce between the United States and France.

SIGNED 24 June, 1822. Ratifications exchanged 12 Feb., 1823. Effective from 1 Oct., 1822, for two years, and thereafter indefinitely, subject to termination by three months' notice from either party. (Art. VII as modified by agreement of 17 July, 1919. U. S. T. S. No. 650) Art. VI terminated as from 1 July, 1916. (U. S. 66th Cong., 1st sess., S. Doc. No. 2: 3.)

TEXT: United States Tr. I: 521-3; French, France Tr. I: 238-40.

I. Import duties levied in either country on products of the other shipped in its own vessels shall be higher by a stated amount than when brought in vessels of the importing country (Arts. I-II),

⁴ United States Tr. I: 443-65.

except when imported for transit or reexportation (Art. III); these extra duties to be diminished after the second year by one-fourth of their total amount each year (Art. VII).

II. Duties of tonnage, light, pilotage, port charges, and all other duties levied on foreign shipping in either country over and above those paid by the national shipping (except extra duties specified above in Arts. I-II) shall not exceed in France 5 francs per ton on American vessels, nor in the United States 94 cents per ton on French vessels (Art. V).

No. 21.

Consular convention between the United States and France.

SIGNED 23 Feb., 1853. Ratifications exchanged 11 Aug., 1853. Effective for 10 years, and thereafter indefinitely, subject to termination by 12 months' notice from either party. (Art. XIII.) Articles VIII and IX terminated as from 1 July, 1916. (U. S., 66th Cong., 1st sess., S. Doc. No. 2: 3.)

TEXT: United States Tr. I: 528-33; French, France Tr.: 240-5.

I. **Most-favored-nation treatment** is reciprocally pledged regarding all privileges, exemptions, and immunities which either country may grant to consular officers. (Art. XII.)

II. **National treatment** is pledged to American citizens in France regarding possession, disposal, and transmission of real or personal property by gift, testament, or otherwise, and payment of taxes relating thereto. The same treatment is pledged to Frenchmen in all those States of the American Union whose existing laws permit it, so long and to the extent as said laws shall remain in force. Inasmuch as existing laws in some States of the Union do not permit aliens to hold real estate, France reserves the ulterior right to establish reciprocity in regard to possession and inheritance. (Art. VII.)

III. **Other provisions** of this treaty relate to the rights, privileges, and duties of consuls in the two countries. (Arts. I-XI.)

Treaty with Germany.

No. 22.

Treaty of peace between the United States and Germany.

SIGNED 25 Aug., 1921, at Berlin. Ratifications exchanged there 11 Nov., 1921. Effective from exchange of ratifications for indefinite term. (Art. III.)

TEXT: English and German, U. S. T. S. No. 658.

I. **Most-favored-nation treatment** is unconditionally pledged by Germany to the United States, and to persons owing permanent allegiance to the United States, with regard to:

(a) All matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights. (Art. I and preamble.)

(b) All matters in respect of which most-favored-nation treatment is pledged by Germany to the Allied and Associated Powers in the

treaty of Versailles, as noted in this volume under No. 314, I *a-f* and II *a-g*. (Arts. I and II.)

II. National and most-favored-nation treatment is unconditionally pledged to the United States and its nationals in all matters with regard to which the same treatment is pledged by Germany to the Allied and Associated Powers in the treaty referred to, as noted in this volume under No. 314, III *a-j* and IV. (Ibid.)

III. National treatment is pledged to the United States and its nationals in all matters with regard to which the same treatment is pledged by Germany to the Allied and Associated Powers, as noted in this volume under No. 314, V *a-g* and VI *a-b*. (Ibid.)

IV. Other provisions.

(*a*) Germany undertakes to accord to the United States all the rights, privileges, indemnities, reparations, or advantages specified in the joint resolution of the Congress of the United States of 2 July, 1921, including all the rights and advantages stipulated for the benefit of the United States in the treaty of peace between Germany and the Allied and Associated Powers, which the United States shall fully enjoy notwithstanding that it has not ratified said treaty. (Art. I.)

(*b*) It is understood and agreed that:

1. The rights and advantages stipulated in the treaty referred to, which it is intended the United States shall have and enjoy, are those defined in section I of Part IV, and Parts V, VI, VIII-XII, XIV, and XV of that treaty; except as noted below under IV *b* 2 and 4. (Art. II, 1.) These articles include all the matters noted in this volume under No. 314, except certain items referred to under VII *p, q, x, y, and z* of that digest.

2. The United States shall not be bound by the provisions of Part I of said treaty, nor by any provisions of that treaty (including those mentioned under IV *b* above) which relate to the covenant of the League of Nations; nor shall the United States be bound by any action taken by the League of Nations or by the council or by the assembly thereof, unless the United States shall expressly give its assent to such action. (Art. II, 2.)

3. The United States assumes no obligations under or with respect to the provisions of Part II (boundaries of Germany), Part III (political clauses for Europe), sections II to VIII, inclusive, of Part IV (German rights and interests relating to China, Siam, Liberia, Morocco, Egypt, Turkey, Bulgaria, and Shantung), and Part XIII (labor) of that treaty. (Art. II, 3.)

4. While the United States is privileged to participate in the reparation commission, and in any other commission established under said treaty, or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so. (Art. II, 4.)

5. The periods of time referred to in Article 440 of the treaty of Versailles shall run, with respect to any act or election on the part of the United States, from the date of the going into force of the present treaty. (Art. III.)

Treaties with Great Britain.⁵

No. 23.

Convention of commerce between the United States and Great Britain.

SIGNED 3 July, 1815. Ratifications exchanged 22 Dec., 1815. Duration: extended indefinitely by convention of 6 Aug., 1827, subject to termination by 12 months' notice from either party. (United States Tr. I: 645-6.)

TEXT: United States Tr. I: 624-8; Hdb. 1912: 979-84; English and French, Martens 10: 582-91.

I. Most-favored-nation treatment is reciprocally pledged (but limited to European territories of Great Britain) in respect to:

(a) Right of citizens of either country to enter with ships and cargoes, all places, ports, and rivers open to foreigners in the other and right to remain there and to hire and occupy houses and warehouses for purposes of commerce; subject to the laws of the country. (Art. I.)

(b) All duties imposed by either country on importation of products of the other; also any prohibitions imposed by either country against importation or exportation of products of either country to or from the other. (Art. II.)

(c) Any duties imposed by either country on exportation of any articles to the other. (Art. II.)

(d) Most-favored-nation treatment is further accorded by Great Britain to the United States respecting duties or charges payable on American vessels, and on importation or exportation of their cargoes at Calcutta, Madras, Bombay, and Prince of Wales Island; on condition of their not carrying any article from said settlements to any port or place outside the United States; and except the coasting trade of said territories. (Art. III.)

II. National treatment is reciprocally pledged (but limited to European territories of Great Britain) in respect to:

(a) All duties or charges imposed in ports of either country on vessels of the other. (Art. II.)

(b) All duties imposed by either country on importation of products of the other, whether imported in vessels of either nation. (Art. II.)

(c) Any duties imposed or bounties allowed by either country on exportation of its products to the other, whether exported in vessels of either nation. (Art. II.)

⁵ For effect of the war of 1812 on treaties with Great Britain, see United States Tr., I: 580, note. For texts of other treaties with Great Britain, see Ibid.: 580-847.

(d) Any drawbacks allowed by either country on reexportation of products of the other, whether originally imported in vessels of either nation; except when the reexportation is made from either country in ships of the other to any foreign nation, in which case both countries reserve the right to determine the amount of said drawback. (Art. II.)

III. Other provisions.

(a) American vessels, in their voyages to or from India or China may touch for refreshments, but not for commerce, at the Cape of Good Hope and other British possessions in the African or Indian Seas. (Art. III.)

(b) Provisions relating to appointment of consuls by either country in dominions and territories of the other. (Art. IV.)

No. 24.

Treaty of Washington between the United States and Great Britain.

SIGNED 8 May, 1871. Ratifications exchanged 17 June, 1871. Duration indefinite. Nearly all the articles of this treaty have expired. (United States Tr. I: 701, 705, 708-18, footnotes.)

TEXT: United States Tr. I: 700-16; Hlb. 1912: 989-93; Martens 49: 698-719.

I. National treatment is reciprocally pledged in the use of canals as follows:

(a) Great Britain engages to urge upon the Canadian Government national treatment of United States citizens in the use of Canadian canals.

(b) Reciprocally, the United States accords to British subjects national treatment in the use of the St. Clair Flats Canal, and engages to urge upon the State Governments national treatment of British subjects in the use of the State canals connected with the navigation of the lakes or rivers traversed by or contiguous to the boundary line between the two countries. (Art. XXVII.)

II. Other provisions.

(a) Navigation of the St. Lawrence River to remain forever free and open for purposes of commerce to citizens of the United States; navigation of the Yukon, Porcupine, and Strikine Rivers to remain free and open forever to British subjects and citizens of the United States; subject on either side to laws and regulations not inconsistent with such privileges of free navigation. (Art. XXVI.)

(b) Great Britain engages to urge upon Canada and New Brunswick that no export or other duties be levied upon lumber or timber cut in that part of Maine which is watered by the River St. John and its tributaries and floated down that river to the sea, when shipped to the United States from New Brunswick. In case such duties continue to be levied after 1872, the United States may suspend certain carrying rights named. (Art. XXXI.)

No. 25.

Convention between the United States and Great Britain relating to tenure and disposal of real and personal property.

SIGNED 2 Mar., 1899. Ratifications exchanged 28 July, 1900. Effective for 10 years, and thereafter indefinitely, subject to termination by 12 months' notice from either party. Terminable separately in regard to any British colony or dependency acceding thereto. (Art. VI.)

TEXT: United States Tr. I: 774-7; Hdb. 1912: 1001-4; Martens 80: 235-7.

I. Most-favored-nation treatment is reciprocally pledged to nationals of either country in the dominions of the other, in all that concerns the right to dispose of every kind of property, real or personal. (Art. V.)

II. National treatment is reciprocally pledged in respect to:

(a) Any succession, probate, or administrative duties or charges relating to inheritance of real property in either country by citizens of the other, or relating to withdrawal from the country of the proceeds thereof, if sold under circumstances named. (Art. I.)

(b) Any duties payable in either country by citizens of the other, whether resident or nonresident, on disposal of, or succession to, personal property, by will or otherwise. (Art. II.)

III. Other provisions.

(a) In case citizens of either country are disqualified by law to inherit real property in the other, such heirs shall be allowed at least three years in which to sell the same, and to withdraw proceeds thereof from the country. (Art. I.)

(b) Full power of citizens of either country to dispose of or succeed to personal property in the other, by will or otherwise, whether resident or nonresident. (Art. II.)

(c) Duties of local authorities and rights of consular officers when a citizen of either country dies in the other without known heirs or executors. (Art. III.)

IV. Application to colonies and territories beyond the seas.

The provisions of this convention are not applicable to colonies, foreign possessions, territories, protectorates, etc., of either country beyond the seas, unless notice to that effect is given to the other country in the manner specified. (Art. IV.)

The convention has been extended to Porto Rico, as from 17 Dec., 1917. (U. S., 64th Cong., 1st sess., S. Ex. Doc. C.) Extension and application to the Hawaiian Islands was authorized by the United States Senate on 7 Mar., 1921. (Cong. Rec., 61: 16.)

For a long list of accessions of British colonies, possessions, protectorates, etc., see United States Tr. I: 777; Hdb. 1912: 1004.

No. 26.

Treaty between the United States and Great Britain to facilitate construction of a ship canal to connect the Atlantic and Pacific Oceans.

SIGNED 18 Nov., 1901. Ratifications exchanged 21 Feb., 1902. Supersedes the convention of 19 Apr., 1850 (Art. I), without impairing the general principle of neutralization established in Art. VIII thereof (preamble). Duration indefinite.

TEXT: United States Tr. I: 782-4; Hdb. 1912: 1005-8; Martens 85: 631-3.

I. Most-favored-nation treatment is stipulated by this treaty in the following terms:

"The canal shall be free and open to the vessels of commerce and of war of all nations observing these Rules on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable." (Art. III, Rule 1.)

II. Other provisions.

(a) "No change of territorial sovereignty or of the international relations of the country or countries traversed by the before-mentioned canal shall affect the general principle of neutralization or the obligation of the high contracting parties under the present treaty." (Art. IV.)

(b) Subject to the provisions of this treaty, the Government of the United States shall have all the rights incident to construction of said canal, as well as the exclusive right of providing for its regulation and management. (Art. II.)

(c) Specified rules providing for neutralization of the canal, including adjacent waters within 3 miles of either end, and including also the plant, establishments, buildings, and all work necessary to the construction, maintenance, and operation of the canal. (Art. III, 2-6.)

Treaty with Greece.

No. 27.

Treaty of commerce and navigation between the United States and Greece.

SIGNED 22 Dec., 1837. Ratifications exchanged 13 June, 1838. Effective for 10 years, and thereafter indefinitely, subject to termination by three months' notice from either party. (Art. XVII, as amended by agreement of 18 Oct., 1920.⁶ Articles XII, XIII, and XIV abrogated by consular convention of 19 Nov., 1902.

TEXT: United States Tr. I: 848-55; French and English, B. F. S. P. 25: 375-88; Martens 23: 300-16; Greek and French, Greece Tr. 1912: 127-35.

I. Most-favored-nation treatment is reciprocally pledged in respect to—

⁶ Ratifications of this agreement have not yet been exchanged (1 Mar. 1922). Its purpose was to avoid termination of the treaty, as from 26 Jan. 1921, by the notice from Greece given 26 Jan., 1920.

(a) All tonnage or other duties of whatever kind imposed on navigation between the two countries in vessels of either (Art. VII) except the coasting trade of both countries. (Art. V.)

(b) Any duties, prohibitions, or restrictions of whatever kind imposed by either country on importation or exportation of products of the other. (Art. VIII.)

(c) All privileges of transit and any bounties or drawbacks allowed by either country on importation or exportation of any article whatever. These must be likewise allowed on products of the other and on importation and exportation made in its vessels. (Art. IX.)

II. National or most-favored-nation treatment (optional).

Neither country to grant in its purchases, or in those made in its name or under its authority, any preference to importations made in its own vessels or in those of a third power over importations made in the vessels of the other contracting country. (Art. VI.)

III. National treatment is reciprocally pledged in respect to:

(a) Treatment of vessels of either nation in ports of the other, from whatever place arriving, as regards duties of tonnage, light-house, pilotage, port charges, and all other duties or charges of any kind (Arts. II, X-XI), except the coasting trade of both countries. (Art. V.)

(b) Importation and exportation: Whatever may be lawfully imported into or exported from either country in its own vessels, from whatever place arriving, may likewise be imported or exported in ships of the other without paying other or higher duties or charges of any kind than when carried in national vessels. (Arts. III-IV.)

IV. Other provisions.

(a) Right of citizens of either country (including companies and associations) to enter with vessels and cargoes any ports, places, and rivers open to foreign commerce in territories of the other, and right to reside there, engage in commercial transactions, and rent houses and warehouses for the purpose. (Art. I.)

(b) Detailed provisions relating to quarantine (Art. XV) and blockade (Art. XVI).

V. Exceptions.

The national and most-favored-nation provisions in Articles II, III, IV, and VII of this treaty, noted above under I(a) and III a-b, do not apply to the coastwise navigation of either country, which each reserves to itself. (Art. V.)

Treaty with Guatemala.

No. 28.

Convention between the United States and Guatemala to foster and develop commerce by facilitating the work of traveling salesmen.

SIGNED 3 Dec., 1918. Ratifications exchanged 25 Aug., 1919. Terminable at any time by six months' notice from either party. (Art. X.)

TEXT: English and Spanish, U. S. T. S. No. 642.

I. Most-favored-nation treatment is reciprocally pledged respecting any concession which either party may grant by law or treaty affecting any of the provisions of this convention (Art. IX) which relate to the following matters:

(a) Right of manufacturers, merchants, and traders domiciled in either country to operate within the jurisdiction of the other, personally or by agents or employees, on obtaining a license therefor in the manner specified; each country, however, reserving the right to prevent such operation in case of war under conditions stated. (Arts. I-II.)

(b) A commercial traveler may sell his samples in either country without obtaining a special license as an importer. (Art. III.)

(c) Samples without a commercial value are admitted to entry free of duty. (Art. IV.)

(d) Samples having a commercial value are provisionally admitted upon giving bond for payment of local duty if not withdrawn from the country within six months; duties to be paid on portion of samples not so withdrawn. (Art. V.)

(e) All customs formalities shall be simplified to avoid delay in dispatching samples. (Art. VI.)

(f) Peddlers and other salesmen who vend directly to consumers, even though they have no established place of business in that country, shall not be considered as commercial travelers, but are subject to the license fees levied on business of the kind they carry on. (Art. VII.)

II. Exceptions.—The commercial travelers' license referred to under I *a* above shall not be required of:

(a) Persons traveling only to study trade and its needs, even though they initiate commercial relations, provided they do not make sales of merchandise.

(b) Persons operating through local agencies which pay the license fee or other imposts to which their business is subject.

(c) Travelers who are exclusively buyers. (Art. VIII.)

Treaty with Haiti.**No. 29.**

Treaty between the United States and Haiti regarding finance, economic development, and tranquillity of Haiti.

SIGNED 16 Sept., 1915. Ratifications exchanged 3 May, 1916. Effective for 10 years from exchange of ratifications, subject to extension for a further 10 years under conditions stated. (Art. XVI.)

TEXT: English and French, U. S. T. S. No. 623.

(a) Haiti's customs duties shall be paid to the general receiver (Art. III), to be appointed by the President of Haiti upon nomination by the President of the United States. (Art. II.)

(b) Haitian customs duties shall not be modified in a manner to reduce the revenue therefrom without previous agreement with the President of the United States. (Art. IX.)

(c) Supervision and control of arms and ammunition throughout Haiti, also military supplies and traffic therein, are placed under a constabulary composed of native Haitians, organized and officered by Americans appointed by the President of Haiti, upon nomination by the President of the United States. (Art. X.)

(d) Haiti agrees not to surrender any of its territory by sale, lease, or otherwise, or jurisdiction over such territory, to any foreign Government or power; nor to enter into any treaty or contract with any foreign power or powers that will impair or tend to impair the independence of Haiti. (Art. XI.)

Treaty with Honduras.**No. 30.**

Treaty of friendship, commerce, and navigation between the United States and Honduras.

SIGNED 4 July, 1864. Ratifications exchanged 5 May, 1865. Effective for seven years and thereafter indefinitely, but Arts. IV, V, and VI (dealing with customs duties, shipping dues, bounties, drawbacks, etc.) are terminable by 12 months' notice from either party. (Art. XIII.)

TEXT: United States Tr. I: 952-8; B. F. S. P. 54: 1134-52; Spanish, Honduras Tr. Vig. 2: 7.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any favor, privilege, or immunity which either country may grant in matters of commerce and navigation (Art. III); except the coasting trade of both countries. (Art. II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to enter with ships and cargoes (including mail boats and warships) all places, ports, and rivers open to foreign commerce in the other; to remain and reside

there; and to hire and occupy houses and warehouses; with complete protection and security for commerce in all respects, subject to the laws and statutes in force. (Arts. II-III.)

(b) All duties imposed by either country on importation of products of the other; also prohibitions against importation or exportation of products of either country to or from the other. (Art. IV.)

(c) Any duties imposed by either country on exportation of any articles to the other. (Art. IV.)

(d) All privileges, exemptions, and immunities conceded to diplomatic and consular agents by either country. (Art. X.)

II. Most-favored-nation treatment is further pledged by Honduras to citizens of the United States respecting any privileges or advantages, commercial or other, regarding use of railroads to be constructed through her territory from the Atlantic to the Pacific Oceans. (Art. XIV.)

III. National treatment is reciprocally pledged in respect to:

(a) All duties or payments on account of tonnage, light, harbor, pilotage, salvage, and all other local charges levied in ports of either country on ships of the other. (Art. V.)

(b) All duties, bounties, or drawbacks on importation or exportation of products of either country to or from the other, whether carried in vessels of either nation. (Art. VI.)

(c) Right of citizens of either country to manage their affairs in the other, personally or otherwise, in any capacity, without other remuneration to persons employed than native citizens pay, and right to buy, sell, and fix prices of goods exported or imported. (Art. VII.)

(d) Full protection for persons and property in either country, including open access to courts of justice and employment of advocates or others therein. (Art. VII.)

(e) All privileges, liberties, rights, duties, and imposts relating to police of the ports; loading and unloading of ships; safety of merchandise, goods, and effects; administration of justice; acquisition and disposal of or succession to personal property by will or otherwise; subject in all these matters to the laws and regulations in force. (Art. VIII.)

(f) Ordinary charges, requisitions, or taxes levied in either country on resident citizens of the other; also any charges or demands upon property in case of rupture or war between the two nations. (Arts. IX and XI.)

IV. Other provisions.

(a) Exemption of each other's citizens from compulsory military service by sea or land and from all forced loans and military exactions or requisitions. (Art. IX.)

(b) In case of rupture or war between the two countries, citizens of either residing in the other may remain and continue their trade or employment without interruption, so long as they behave peaceably and commit no offense against the laws. In case they prefer to leave the country they shall have from six to twelve months to dispose of their property, and safe conduct to port; their property of all kinds being exempt from seizure, sequestration, detention, or confiscation. (Art. XI.)

(c) Protection of each other's citizens as regards their persons, houses, and property; also free exercise of religion and right to establish churches and cemeteries. (Art. XII.)

(d) Provisions regarding construction of a railroad from the Atlantic to the Pacific Oceans through territory of Honduras, with reference to free ports at both terminals, exemption from customs and transit duties, and guaranties for the neutrality and security of the road. (Art. XIV.)

Treaty with Hungary.

No. 31.

Treaty of peace between the United States and Hungary.

SIGNED 29 Aug., 1921, at Budapest. Ratifications exchanged 17 Dec., 1921. Effective from exchange of ratifications for indefinite term. (Art. III.)

TEXT: U. S. T. S. No. 660.

I. Most-favored-nation treatment is unconditionally pledged by Hungary to the United States, and to persons owing permanent allegiance to the United States, with regard to:

(a) All matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights. (Art. I and preamble.)

(b) All matters in respect of which most-favored-nation treatment is pledged by Hungary to the Allied and Associated Powers in the treaty of Trianon, as noted in this volume under No. 355, I *a-f* and II *a-e*. (Arts. I and II.)

II. National and most-favored-nation treatment (optional) is unconditionally pledged to the United States and its nationals in all matters with regard to which the same treatment is pledged by Hungary to the Allied and Associated Powers in the treaty referred to, as noted in this volume under No. 355, III *a-h* and V *b*. (Ibid.)

III. National treatment is pledged to the United States and its nationals in all matters with regard to which the same treatment is pledged by Hungary to the Allied and Associated Powers, as noted in this volume under No. 355, VI *a-g* and VII *a-b*. (Ibid.)

IV. Other provisions.

(a) Hungary undertakes to accord to the United States all the rights, privileges, indemnities, reparations, or advantages specified

in the joint resolution of the Congress of the United States of 2 July, 1921, including all the rights and advantages stipulated for the benefit of the United States in the treaty of peace between Hungary and the Allied and Associated Powers, which the United States shall fully enjoy notwithstanding that it has not ratified said treaty. (Art. I.)

(b) It is understood and agreed that:

1. The rights and advantages stipulated in the treaty referred to, which it is intended the United States shall have and enjoy, are those defined in Parts V, VI, VIII, IX, X, XI, XII, and XIV of that treaty; except as noted below under IV *b* 2 and 4. (Art. II, 1.) These articles include all the matters noted in this volume under No. 355; except only the items named under VIII *l, m* 5, *n, o, p, s, y,* and *z* of that digest.

2. The United States shall not be bound by the provisions of Part I of said treaty, nor by any provisions of that treaty (including those mentioned under IV *b* above) which relate to the covenant of the League of Nations; nor shall the United States be bound by any action taken by the League of Nations or by the council or by the assembly thereof, unless the United States shall expressly give its assent to such action. (Art. II, 2.)

3. The United States assumes no obligations under or with respect to the provisions of Part II (frontiers of Hungary), Part III (political clauses for Europe), Part IV (Hungarian interests outside Europe), and Part XIII (labor) of that treaty. (Art. II, 3.)

4. While the United States is privileged to participate in the reparation commission, and in any other commission established under said treaty or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so. (Art. II, 4.)

5. The periods of time referred to in Article 364 of the treaty of Trianon shall run, with respect to any act or election on the part of the United States, from the date of the going into force of the present treaty. (Art. III.)

Treaty with Italy.

No. 32.

Treaty of commerce and navigation between the United States and Italy.

SIGNED 26 Feb., 1871. Ratifications exchanged at Washington 18 Nov., 1871. Effective for five years and thereafter indefinitely, subject to termination by 12 months' notice from either party. (Art. XXV.)

TEXT: United States Tr. I: 969-77; B. F. S. P. 61:88-95; Martens 51:57-64; Italian, Italy Tr. 4:144-55; Italy Tr. 1911, II:851-9.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any particular favor which

either country may grant in matters of commerce and navigation (Art. XXIV); except the coasting trade of both countries (Art. VII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to enter with ships and cargoes any ports of the other open to foreign commerce. (Art. I.)

(b) All duties imposed by either country on importation of products of the other; also any prohibitions against importation or exportation of products of either country to or from the other. (Art. VI.)

(c) Any duties or charges imposed by either country on exportation of any articles to the other. (Art. VI.)

(d) Right of citizens of either country to dispose of, or succeed to, real estate in the other, by will or otherwise, and payment of dues relating thereto. (Art. XXII.)

II. National treatment is reciprocally pledged in respect to:

(a) All rights, privileges, favors, immunities, and exemptions concerning commerce and navigation in the States and possessions of either country (except coasting trade), and all duties or charges relating thereto. (Art. I.)

(b) Liberty to travel, trade, hire houses and warehouses and employ agents in either country, and generally to do anything incident to or necessary for trade. (Art. II.)

(c) All rights and privileges relating to security and protection of persons and property in either country, including compensation for injuries or death under conditions stated. (Conv. 25 Feb., 1913.⁷)

(d) Importation and exportation: Whatever merchandise may be lawfully imported into or exported from either country in its own vessels may likewise be imported, exported, or reexported in ships of the other without paying other or higher duties on tonnage of vessels and their cargoes and subject to the same bounties or drawbacks as when carried in national vessels. (Art. V.)

(e) Assistance and protection to vessels of either country wrecked or damaged on coasts of the other. (Art. IX.)

(f) Right of citizens of either country to dispose of or succeed to personal property in the other, by will or otherwise, and payment of dues relating thereto. (Art. XXII.)

(g) Access to courts of justice and rights concerning judicial procedure in either country, including employment of advocates, etc., and all conditions, restrictions, or taxes relating thereto. (Art. XXIII.)

⁷ United States Tr. III:442.

III. Other provisions.

(a) Exemption of each other's citizens from all compulsory military service, by land or sea; from judicial or municipal office, and from any contribution in lieu of personal service. (Art. III.)

(b) Citizens of either country are exempt in the other from any embargo or detention with their vessels, cargoes, etc., for military expeditions, or for any other purpose, unless sufficient indemnification is allowed. (Art. IV.)

(c) Right of vessels of either country to discharge foreign cargoes at different ports of the other on the same voyage; but coastwise navigation is reserved by each country to itself. (Art. VII.)

(d) Exemption of vessels of either country from tonnage, anchorage and clearance duties in ports of the other, under conditions stated. (Art. VIII.)

(e) Extensive provisions regarding enrollment of sailors (Art. X); restoration of vessels captured by pirates (Art. XI), and reciprocal rights in the event of war. (Arts. XII-XXI.)

Treaties with Japan.

No. 33.

Treaty of commerce and navigation between the United States and Japan.

SIGNED 21 Feb., 1911. Ratifications exchanged 4 Apr., 1911. Effective from 17 July, 1911, for 12 years, and thereafter indefinitely, subject to termination by six months' notice from either party. (Art. XVII.)

TEXT: United States Tr. III: 77-83; B. F. S. P. 105: 728-83; Martens 91: 729-35; Japan Tr. 1918: 22-8.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any privilege, favor, or immunity concerning commerce and navigation (Art. XIV); except as noted below under *I e* and *V*.

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Appointment of consuls, and, on condition of reciprocity, the powers, exemptions, and immunities accorded to consular officers by either country. (Art. III.)

(b) Right of citizens of either country to come with their ships and cargoes to all places, ports, and rivers open to foreign commerce in territories of the other, subject always to the laws of the country. (Art. IV.)

(c) All duties imposed by either country on importation of products of the other, from whatever place arriving (Treaty of 22 Nov., 1894, Art. IV^s); this provision to be maintained until conclusion of a tariff treaty between the two countries (Protocol).

^s United States Tr. I: 1030.

(d) All duties or charges imposed by either country on exportation of any article to the other. (Art. V.)

(e) Any prohibitions imposed by either country against importation or exportation of any article to or from the other, except sanitary measures and measures to protect animals or useful plants. (Art. V.)

(f) All facilities, privileges, and immunities granted in ports of either country to vessels charged with regular scheduled postal service, whether State-owned or subsidized by it for the purpose. (Art. XII.)

(g) Any privileges which either country may grant in respect of its coasting trade. (Art. XIII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged regarding duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar duties of whatever denomination, no matter by whom or how levied in ports of either country on vessels of the other from whatever place arriving and whatever their destination (Art. XI), except as noted below under V a.

III. National treatment is reciprocally pledged in respect to:

(a) Right of citizens of either party to enter, travel, and reside in the territories of the other; to carry on trade, wholesale and retail; to own or lease and occupy houses, manufactories, warehouses, and shops; to employ agents of their choice; to lease land for residential and commercial purposes; and generally to do anything incidental to or necessary for trade upon the same terms as native citizens or subjects, submitting themselves to the laws and regulations there established. (Art. I.)

(b) Any charges or taxes payable in either country by nationals of the other, also all rights and privileges regarding protection and security for persons and property. (Art. I.)

(c) Exemption of dwellings and other premises from domiciliary visits or search, and of books, papers, or accounts from inspection or examination, except under conditions and with legal forms applying to citizens of the country. (Art. II.)

(d) Treatment of each others' citizens in all that relates to warehousing, bounties, facilities, and drawbacks. (Art. VI.)

(e) Importation and exportation. All articles legally importable from any foreign country into ports of either nation, or legally exportable from either country in its own vessels, may likewise be imported or exported in ships of the other, from whatever foreign place arriving and for any foreign destination, without paying other or higher duties or charges of any kind and subject to the same bounties and drawbacks as when carried in national vessels. (Art. VIII.)

(f) All privileges in regard to the stationing, loading, and unloading of vessels in the ports of either country. (Art. IX.)

(g) Protection in either country of patents, trade-marks, and designs belonging to citizens of the other upon fulfilling the formalities prescribed by law in each country. (Art. XV.)

IV. Other provisions.

(a) Exemption of each other's citizens from compulsory military service by land or sea, from contributions in lieu of personal service, and from all forced loans or military exactions or contributions. (Art. I.)

(b) Import duties levied by either country on products of the other shall be regulated either by treaty between the two countries or by the internal legislation of each. (Art. V.) Pending conclusion of a tariff treaty, the provisions relating to tariff in the treaty of 22 Nov., 1894 (as indicated under I *c* above), shall be maintained. (Protocol.)

(c) Exemption of each other's citizens from all transit duties in either country. (Art. VI.)

(d) Commercial, industrial, and financial companies or associations domiciled in either country may exercise their rights and be parties to suits in the other, subject to the laws thereof. (Art. VII.)

(e) Nationality of merchant vessels under flag of either country to be recognized by the other, if carrying papers required by law. (Art. X.)

(f) "The Imperial Japanese Government are fully prepared to maintain with equal effectiveness the limitation and control which they have for the past three years exercised in regulation of the emigration of laborers to the United States." (Decl.⁹)

V. Exceptions.

(a) Coasting trade is excepted from national treatment; but port-to-port trade for the purpose of discharging or receiving foreign cargo is permitted, subject to the laws, tariffs, and customs regulations of the country. (Art. XIII.)

(b) This treaty shall not be deemed to repeal or affect any of the provisions of the act of Congress, 20 Feb., 1907, entitled "An act to regulate the immigration of aliens into the United States." (Notes.¹⁰)

No. 34.

Agreement between the United States and Japan respecting mutual interests relating to China.

EXCHANGE OF NOTES signed 2 Nov., 1917, at Washington.

TEXT: U. S. T. S. No. 630; Japan Tr. 1918: 31-3.

I. Inasmuch as territorial propinquity creates special relations between countries, the United States recognizes that Japan has spe-

⁹ Japan Tr., 1918: 29.

¹⁰ Ibid.: 29-31.

cial interests in China, particularly in the part to which her possessions are contiguous.

II. Nevertheless, the territorial sovereignty of China remains unimpaired, both parties denying that they have any purpose to infringe in any way the independence or territorial integrity of China.

III. Both parties declare that they have no desire to discriminate against the trade of other nations, or to disregard the commercial rights heretofore granted by China in treaties with other powers; that they always adhere to the principle of the so-called open door or equal opportunity for commerce and industry in China; and that they are opposed to the acquisition by any Government of any special rights or privileges that would affect the independence or territorial integrity of China, or that would deny to the subjects or citizens of any country the full enjoyment of equal opportunity in the commerce and industry of China.

Treaty with Liberia.

No. 35.

Treaty of commerce and navigation between the United States and Liberia.

SIGNED 21 Oct., 1862. Ratifications exchanged 17 Feb., 1863. Duration indefinite.

TEXT: United States Tr. I: 1050-2.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any favor, privilege, or immunity which either party may grant to subjects of any other State in matters of commerce and navigation. (Art. VI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of residence and trade and all other rights and privileges granted to foreigners. (Art. II.)

(b) Duties levied by either country on goods imported from the other in any vessels or imported in vessels of the other from any country. (Art. IV.)

(c) Exportation of products of either country by citizens and vessels of the other. (Art. IV.)

II. National treatment is reciprocally pledged regarding tonnage, import, and other duties or charges levied by either country on vessels of the other or on goods imported or exported therein. (Art. III.)

III. Other provisions.

(a) Assistance by either country to damaged or shipwrecked vessels of the other. Disputes concerning salvage to be settled by arbitration. (Art. V.)

(b) Right of either country to appoint consuls in the other for protection of trade. (Art. VII.)

(c) The United States engages not to interfere in affairs between the aboriginal inhabitants and the Government of Liberia, except on request from the latter; and to aid Liberian authorities in bringing to justice aboriginal inhabitants who may have inflicted injury or loss on Americans. (Art. VIII.)

Treaty with Morocco.

No. 36.

Treaty of peace and friendship between the United States and Morocco.

SIGNED 16 Sept., 1836. Effective for 50 years, and thereafter indefinitely, subject to termination by 12 months' notice from either party. (Art. XXV.)

TEXT: United States Tr. I: 1212-17.

I. Most-favored-nation treatment is pledged by Morocco to commerce of the United States (Art. XIV) and with regard to privileges of United States consuls in Morocco (Art. XXIII).

II. Other provisions.

(a) Supplies shall be furnished to vessels of either country in ports of the other without interruption or molestation. (Art. VII.)

(b) American vessels in distress may land and reload their cargoes without paying any duty whatever. (Arts. VIII-IX.)

(c) Right of merchants in either country to choose their own interpreters or other assistants. Commanders of vessels of either country shall not be detained in ports of the other against their will. Dock laborers shall not be paid more nor less than customary rates. (Art. XV.)

(d) Freedom of merchants to buy and sell all kinds of merchandise not prohibited to the other Christian nations. (Art. XVII.)

(e) All goods to be weighed and examined before loading on ships, and not afterwards, unless it be proved that contraband goods have been sent on board. (Art. XVIII.)

(f) Vessels shall not be detained in port on any pretence, nor be obliged to take on board any article without consent of their commanders. (Art. XIX.)

(g) Consular jurisdiction of disputes between Americans. (Art. XX.)

(h) Homicides and assaults to be tried by the law of the country, the consul assisting. (Art. XXI.)

(i) Consular administration of estates of deceased Americans. (Art. XXII.)

(j) Detailed provisions concerning rights of nationals, vessels, etc., of either country when the other is engaged in war. (Arts. I-VI, X-XIII.)

Treaty with Muscat.**No. 37.***Treaty of amity and commerce between the United States and Muscat.*

SIGNED 21 Sept., 1833. Ratifications exchanged 30 Sept., 1833. Duration indefinite.

TEXT: United States Tr. I:1228-30.

I. Most-favored-nation treatment is pledged by Muscat to American citizens regarding duties on export or import, tonnage, license to trade, or other charges whatsoever (Arts. IV, VI); and pledged by the United States to vessels of Muscat regarding duties or other charges in American ports (Art. VIII).

II. Other provisions.

(a) Freedom of Americans to enter ports of Muscat to sell or barter their cargoes and to purchase merchandise without interference by the Sultan or his officers in bargaining for prices thereof. (Art. II.)

(b) American vessels shall pay no more than 5 per cent duties on the cargo landed; this to be in full consideration of all import, export, tonnage, and all other duties and charges whatsoever. (Art. III.)

(c) Assistance pledged by Muscat to vessels of the United States wrecked or captured by pirates, and to their crews or passengers. (Arts. V, VII.)

(d) Consular jurisdiction in Muscat of disputes between Americans, and consular administration of estates of American decedents. (Art. IX.)

Treaty with the Netherlands.**No. 38.***Convention of commerce and navigation between the United States and the Netherlands.*

SIGNED 26 Aug., 1852. Ratifications exchanged 25 Feb., 1853. Duration indefinite, subject to termination by twelve months' notice from either party. (Art. VI.)

TEXT: United States Tr. II:1248-50; Dutch and English, Lagemans 4: 66-70.

I. Most-favored-nation treatment is reciprocally pledged regarding any favors which either country may grant in respect of its coasting trade. (Art. IV.)

II. National treatment is reciprocally pledged in respect to:

(a) All duties imposed, and all bounties, drawbacks, or other similar privileges allowed, by either country on merchandise imported or exported in ships of the other. (Art. I.) This reciprocal

national treatment of the two flags extends also to ports of the colonies and dominions of the Netherlands beyond the seas. (Art. II.)

(b) All duties of tonnage, harbor dues, lighthouse, salvage, pilotage, quarantine, and port charges of any kind imposed by either country on vessels of the other, from whatever place arriving. (Art. III.)

(c) Rules and regulations concerning loading or discharging of foreign cargo by vessels of either country at different ports of the other on the same voyage (Art. IV); except as noted below under III.

(d) Treatment of each other's vessels engaged in direct trade between Holland and her colonies beyond the seas, or engaged in importation of tea or coffee into the United States direct from the place of their growth, as regards all duties, privileges, and immunities relating thereto. (Art. V.)

III. Exceptions.

The national treatment provisions of this convention do not apply to the coasting trade and fisheries of either country, which are exclusively allowed to national vessels; coasting trade being defined as including trade from island to island in the Dutch East Indies, and trade between Atlantic and Pacific ports of the United States. (Art. IV.)

Treaty with Norway.

No. 39.

Treaty of commerce and navigation between the United States and Norway.

SIGNED 4 July, 1827. Ratifications exchanged 18 Jan., 1828. Duration indefinite, subject to termination by 12 months' notice from either party. (Art. XIX.) Art. XIV and the last paragraph of Art. XIII terminated, as from 1 July, 1916. (U. S. 66th Cong., 1st sess., S. Doc., No. 2: 4.

TEXT: United States Tr. II: 1748-56; Norwegian, Norway Tr. 1914: 1-18; French, Martens 15 (pt. 1): 271-81.

I. Most-favored-nation treatment is reciprocally pledged in respect to:

(a) Right of citizens of either country to enter the ports, places, and rivers open to foreign commerce in territories of the other, with all security for persons, vessels, and cargoes. (Art. I.)

(b) Any prohibitions or restrictions of importation or exportation, and all duties of every description, imposed by either country on products of the other. (Art. IX.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged as follows:

(a) Neither country to grant any preferences in its purchases to importations made in its own vessels or in those of a third Power, over importations made in vessels of the other country. (Art. VII.)

(b) Both countries engage not to impose upon the navigation between their respective territories, in vessels of either country, any

tonnage or other duties of any description which shall be higher or other than those imposed on every other navigation; except the coastwise navigation of either country. (Art. VIII.)

(c) All privileges of transit and all bounties and drawbacks allowed by either country on importation or exportation shall be likewise allowed on similar products of the other country and on importations and exportations made in its vessels. (Art. X.)

III. National treatment is reciprocally pledged in respect to:

(a) Treatment of vessels of either country in ports of the other from whatever place arriving, as regards duties of tonnage, light-house, pilotage, port charges, and all other duties or charges whatever. (Arts. II, XI-XII.)

(b) Importation and exportation: Whatever may be lawfully imported into or exported from either country in its own vessels may also be imported or exported in ships of the other, from whatever place arriving, without paying other or higher duties or charges of any kind than when carried in national vessels (Art. III-IV), except the coastwise navigation of both countries, which each reserves to itself. (Art. VI.)

(c) Costs of salvage payable in either country by damaged or shipwrecked vessels of the other. (Art. XV.)

IV. Other provisions.

(a) Right of residence in either country, with protection for persons and property of citizens of the other. (Art. I.)

(b) Assistance in either country to vessels of the other seeking refuge from damage or shipwreck. (Art. XV.)

(c) Appointment and powers of consular officers or commercial agents (Art. XIII) and detailed provisions concerning quarantine (Art. XVI) and blockade (Art. XVIII).

Treaty with Panama.

No. 40.

Convention between the United States and Panama to foster and develop commerce by facilitating the work of traveling salesmen.

SIGNED 8 Feb., 1919. Ratifications exchanged 8 Dec., 1919. Terminable at any time by six months' notice from either party. (Art. X.)

TEXT: English and Spanish, U. S. T. S. No. 646.

I. Most-favored-nation treatment is reciprocally pledged respecting any concession which either party may grant by law or treaty affecting any of the provisions of this convention (Art. IX) which relate to the following matters:

(a) Right of manufacturers, merchants, and traders domiciled in either country to operate within the jurisdiction of the other, per-

sonally or by agents or employees, on obtaining a license therefor in the manner specified; each country, however, reserving the right to prevent such operation in case of war under conditions stated. (Arts. I-II.)

(b) A commercial traveler may sell his samples in either country without obtaining a special license as an importer. (Art. III.)

(c) Samples without a commercial value are admitted to entry free of duty. (Art. IV.)

(d) Samples having a commercial value are provisionally admitted upon giving bond for payment of local duty if not withdrawn from the country within six months; duties to be paid on portion of samples not so withdrawn. (Art. V.)

(e) All customs formalities shall be simplified to avoid delay in dispatching samples. (Art. VI.)

(f) Peddlers and other salesmen who vend directly to consumers, even though they have no established place of business in that country, shall not be considered as commercial travelers, but are subject to the license fees levied on business of the kind they carry on. (Art. VII.)

II. Exceptions.—The commercial travelers' license referred to under I *a* above shall not be required of:

(a) Persons traveling only to study trade and its needs, even though they initiate commercial relations, provided they do not make sales of merchandise.

(b) Persons operating through local agencies which pay the license fee or other imposts to which their business is subject.

(c) Travelers who are exclusively buyers. (Art. VIII.)

Treaty with Paraguay.

No. 41.

Treaty of friendship, commerce, and navigation between the United States and Paraguay.

SIGNED 4 Feb., 1859. Ratifications exchanged 7 Mar., 1860. Effective for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XV.)

TEXT: United States Tr., II:1364-9; B. F. S. P., 49: 487-92; Martens 46 (pt. 1): 249-58.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any favor, privilege, or immunity which either country may grant in matters of commerce or navigation. (Art. III.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of access, with ships and cargoes, to ports and places open to foreign commerce in either country, and to trade there in

all articles of lawful commerce, subject to the usages and established customs of the country. (Art. II.)

(b) Any duties or prohibitions regarding importation or exportation of products of either country to or from the other. (Art. IV.)

(c) All privileges, exemptions and immunities accorded to diplomatic and consular agents by either country. (Art. XII.)

II. National treatment is reciprocally pledged in respect to:

(a) All duties or charges on account of tonnage, light, harbor, pilotage, salvage, and all other local charges imposed on vessels of either nation in ports of the other. (Art. V.)

(b) All duties imposed by either country on importation or exportation of any articles legally importable or exportable in vessels of either nation (Art. VI); or payable on imports and exports by citizens of either country. (Art. VIII.)

(c) Right of citizens of either country to manage their affairs in the other, personally or otherwise, in any capacity without other remuneration to persons employed than native citizens pay; also freedom to buy, sell, and fix price of any article of lawful commerce, without being affected by any monopoly, contract, or exclusive privilege of sale and purchase. (Art. IX.)

(d) All rights and privileges concerning protection of persons and properties of each other's citizens, including open access to courts of justice and employment of advocates or others therein. (Arts. IX and XIV.)

(e) All privileges, liberties, rights, duties and imposts relating to police of the ports; loading and unloading of ships; safety of merchandise, goods and effects: administration of justice; acquisition and disposal of, or succession to, personal property by will or otherwise; subject in all these matters to the laws and regulations in force. (Art. X.)

(f) Any charges, requisitions or taxes levied by either country on resident citizens of the other (Art. XI); even in case of rupture between the two countries. (Art. XIII.)

III. Other provisions.

(a) Paraguay concedes to the merchant flag of United States citizens free navigation of the river Paraguay all the way to Brazil, and of the right side of the Parana throughout its course belonging to Paraguay. (Art. II.)

(b) Exemption of each other's citizens from compulsory military service by land or sea, and from all forced loans and military exactions or requisitions. (Art. XI.)

(c) Consular agents to take charge of property left by their nationals in either country without will or testament, pending appointment of executors or administrators. (Art. X.)

(d) In case of rupture between the two countries, citizens of either established in the other may continue their business or occupation without interruption so long as they behave peaceably and commit no offense against the laws, their property of all kinds being exempt from seizure, detention, sequestration, or confiscation. In case they prefer to leave the country, reasonable time must be allowed for liquidation of accounts and disposal of property, and safe-conduct given to ports of their own selection. (Art. XIII.)

(e) Citizens of either country are assured in the other full liberty of conscience and religion and right of burial in public cemeteries. (Art. XIV.)

Treaty with Persia.

No. 42.

Treaty of friendship and commerce between the United States and Persia.

SIGNED 13 Dec., 1856. Ratifications exchanged 13 June, 1857. Terminable by 12 months' notice from either party. (Art. VIII.)

TEXT: United States Tr. II: 1371-4; Persian and English, Persia Tr. 1908: 15-21.

I. Most-favored-nation treatment is reciprocally pledged in respect to:

(a) Reception and treatment by either country of ambassadors and diplomatic agents of the other, in all respects. (Art. II.)

(b) Treatment by either country of resident nationals of the other, in all respects; also any privileges granted by either country concerning internal commerce. (Art. III.)

(c) Any duties or taxes of any kind imposed by either country on goods imported or exported by nationals of the other. (Art. IV.)

(d) Manner of trial, in either country, of nationals of the other charged with criminal offenses; and treatment of Persian subjects in the United States in trial of all disputes to which they are parties. (Art. V.)

(e) Privileges and immunities of consuls of either country at their places of residence in the other. (Art. VII.)

II. Other provisions.

(a) Reciprocal liberty assured in either country to nationals of the other regarding importation, exportation, exchange, purchase, and transportation of all kinds of merchandise. (Art. III.)

(b) Disputes in Persia between Persians and Americans shall be tried by a Persian tribunal at the place where an American consul or agent may reside, and in the presence of his employe; disputes between Americans, by the American consul or agent according to American law; between Americans and subjects of other foreign

powers, by the intermediation of their respective consuls or agents. (Art. V.)

(c) Consular administration in either country of estates left by their nationals dying without relatives or partners. (Art. VI.)

Treaty with Salvador.

No. 43.

Convention between the United States and Salvador to foster and develop commerce by facilitating the work of traveling salesmen.

SIGNED 28 Jan., 1919. Ratifications exchanged 18 Jan., 1921. Terminable at any time on six months' notice by either party. (Art. X.)

TEXT: English and Spanish, U. S. T. S. No. 651.

I. Most-favored-nation treatment is reciprocally pledged respecting any concession which either party may grant by law, treaty, or convention, affecting any of the provisions of this convention (Art. IX), which relate to:

(a) Right of manufacturers, merchants, and traders domiciled in either country to operate within the jurisdiction of the other, personally or by agents or employees, on obtaining a license therefor in the manner specified; each country, however, reserving the right to prevent such operation in case of war under conditions stated. (Arts. I-II.)

(b) A commercial traveler may sell his samples without obtaining a special license as an importer. (Art. III.)

(c) Samples without commercial value are admitted to entry free of duty. (Art. IV.)

(d) Samples having commercial value are provisionally admitted upon giving bond for payment of lawful duties if not withdrawn from the country within six months; duties to be paid on portion of samples not so withdrawn. (Art. V.)

(e) All customs formalities shall be simplified to avoid delay in dispatching samples. (Art. VI.)

(f) Peddlers and other salesmen who vend directly to consumers, even though they have no established place of business in that country, shall not be considered as commercial travelers but are subject to the license fees levied on business of the kind they carry on. (Art. VII.)

II. Exceptions.—No license shall be required of:

(a) Persons traveling only to study trade and its needs, even though they initiate commercial relations, provided they do not make sales of merchandise.

(b) Persons operating through local agencies which pay the license fee or other imposts to which their business is subject.

(c) Travelers who are exclusively buyers. (Art. VIII.)

Treaty with the Serb-Croat-Slovene State.¹¹

No. 44.

Treaty of commerce and navigation between the United States and Serbia.

SIGNED 14 Oct., 1881. Ratifications exchanged 15 Nov., 1882. Effective for 10 years, and thereafter indefinitely, subject to termination by 12 months' notice from either party. (Art. XIV.)

TEXT: United States Tr. II: 1613-17; Martens 61: 744-8; French, B. F. S. P. 72: 1130-5.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) in respect to:

(a) All rights granted by law in either country to citizens of any other State concerning acquisition, possession and disposal of, or succession to, property of all kinds, real or personal, by will or otherwise in any manner whatever. (Art. II.)

(b) Treatment by either country of commercial travelers from the other in regard to their licenses; subject to the laws and regulations in either country concerning peddling and hawking. (Art. III.)

(c) Any prohibitions of importation, exportation, or transit imposed by either nation against the other; except special measures which either country may establish for sanitary purposes, or in event of a war. (Art. V.)

(d) Any favors, privileges, or immunities with either country may grant to any third power concerning duties on imports and exports, transit, reexportation, warehousing, local dues, and custom-house formalities. (Arts. VI, XIII.)

(e) Treatment by either country of imported products of the other, whether destined for consumption, warehousing, reexport, or transit, with special reference to payment of duties. (Art. VII.)

(f) Treatment by either country of products and importers of the other, as regards customhouse laws and regulations on goods subject to ad valorem duty, in all respects. (Art. IX.)

(g) Treatment of goods of either country when conveyed over railways of the other, as regards freight and all other facilities. (Art. XI.)

(h) Any favor, exemption or privilege regarding treatment by either country of ships of the other and their cargoes, from whatever place arriving and whatever the origin or destination of the cargoes; with special reference to local treatment, pilotage, and all dues or charges in the ports, docks, rivers, and waters of either country. (Art. XIII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in respect to:

(a) Protection of persons and property of citizens of either country residing in the other. (Art. I.)

¹¹ See p. 771, note 197.

(b) All rights, privileges, exemptions, immunities, taxes, or conditions relating to exercise of commerce and industry in either country; with special reference to local taxes, customs, formalities, brokerage, patterns, or samples introduced by commercial travelers, and all other matters connected with trade. (Art. I.)

(c) All taxes, imposts, or charges of any kind relating to acquisition, possession and disposal of, or succession to, real or personal property in either country, by will or otherwise; including any duties payable on exportation of proceeds from sale of property. (Art. II.)

(d) Treatment of citizens of either country proceeding to markets or fairs in the other for the purpose of exercising their commerce and selling their products. (Art. III.)

(e) All rights and advantages concerning access to courts of justice and employment of advocates or others therein, or concerning domiciliary visits to houses, factories, and shops in either country. (Art. IV.)

III. Other provisions.

(a) Exemption of each other's citizens from all personal military service by land or sea, from quartering of troops, forced loans, military exactions or requisitions (except those incumbent on possession of landed property), and from all obligatory official, judicial, administrative, or municipal functions. (Art. IV.)

(b) Exemption of merchandise of every kind passing to or from either country from every transit duty in the other, whether going right through, or unloaded, stored and reloaded; except special regulations concerning gunpowder and arms of war. (Art. VIII.)

(c) Reciprocal protection of trade-marks in either country. (Art. XII.)

IV. Exceptions.

Most-favored-nation treatment provisions in Articles I to IX shall not affect the special facilities which either country may concede to neighboring States with respect to local traffic between continuous frontier districts. (Art. X.)

Treaty with Siam.

No. 45.

Treaty between the United States and Siam revising previous treaties between the two countries.

SIGNED 16 Dec., 1920, at Washington. Ratifications exchanged 1 Sept., 1921, at Bangkok. Effective from exchange of ratifications for 10 years, and thereafter until terminated by 1 year's notice from either party. (Art. XVII.) Terminates and replaces all previous conventions, treaties, arrangements, and agreements between the two countries. (Art. XVI.)

TEXT: U. S. T. S., No. 655.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) Right of citizens of either country to come with their ships and cargoes to all places, ports, and rivers open to foreign commerce and navigation in the other; except as regards spirituous, distilled, or fermented drinks, alcoholic liquors, alcohol, opium and derivatives thereof, cocaine, heroin, and other narcotic drugs included within the scope of the international opium convention of 23 Jan., 1912, and arms or ammunition; the trade in all of which may (subject to the principle of most-favored-nation treatment) be regulated and restricted at will within the territories and possessions of either country. (Art. III.)

(b) Any increases which Siam may make (on conditions stated) in the rates of duty on importations and exportations of merchandise. (Art. VII.)

(c) Any privilege which either country may grant to vessels of a third Power in all that concerns the entering, clearing, stationing, loading, and unloading of vessels in its ports, basins, docks, roadsteads, harbors, or rivers. (Art. VIII.)

(d) Any rights which either country may grant to foreigners in respect of its coasting trade. (Art. IX.)

(e) Ports and places of either country to which warships of the other may have access, and all honors, advantages, privileges, and exemptions there conceded to foreign vessels of war. (Art. XI.)

(f) Appointment of consular officers, and all powers, honors, privileges, exemptions, and immunities of every kind accorded to them in either country. (Art. XIII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Any conditions or requirements concerning access to courts of justice in either country, and right to employ advocates and representatives therein. (Arts. IV-V.)

(b) All that relates to transit duties, warehousing, bounties, facilities, and the examination and appraisement of merchandise. (Art. VI.)

(c) Treatment of citizens of either country in the other with regard to protection of patents, trade-marks, trade names, designs, and copyrights; upon fulfillment of formalities prescribed by law. (Art. XII.)

III. National treatment is reciprocally pledged with regard to:

(a) Right of citizens of either country to travel and reside in the other; to carry on trade, wholesale and retail; to engage in religious, educational, and charitable work; to own or lease and occupy houses, factories, warehouses, and shops; to employ agents of their choice; to lease land for residential, commercial, religious, and charitable

purposes, and for use as cemeteries; and generally to do anything incident to or necessary for trade upon the same terms as native citizens or subjects, submitting themselves to the laws and regulations there established. (Art. I.)

(b) Any internal charges or taxes payable by citizens of either country in the other. (Art. I.)

(c) All rights, privileges, and conditions concerning protection and security for persons and property in either country. (Ibid.)

(d) Exemption of dwellings, warehouses, factories, shops, and other premises used for residence or commerce from domiciliary visits or search, and exemption of books, papers, and accounts from inspection or examination; except under conditions and with legal forms prescribed by law for nationals. (Art. II.)

(e) Any dues payable by vessels of either country seeking refuge in ports of the other from damage or shipwreck, and payment of salvage or other expenses incurred by stranded or wrecked vessels. (Art. X.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from compulsory military service by land or sea; from all contributions imposed in lieu of personal military service, and from all forced loans and military exactions or contributions. (Art. I.)

(b) Citizens of either country to enjoy in the other complete liberty of conscience and (subject to the laws of the country) the right of private and public exercise of their worship. (Art. I.)

(c) The sale and resale of products of either country is exempt in the other from all governmental restrictions and limitations designed or operating to create or maintain any monopoly or "farm" for the profit either of the Government or of a private individual or organization. (Art. III.)

(d) Limited liability and other companies and associations duly constituted in either country are authorized to exercise their rights in the other conformably to its laws; with special reference to actions in courts of justice. (Art. V.)

(e) The United States agrees to assent to increases by Siam in its tariff to rates higher than those established by existing treaties, on condition that all other nations entitled to claim special tariff treatment in Siam assent to such increases freely and without requiring any compensatory benefit or privilege. (Art VII.)

(f) Detailed provisions concerning treatment of vessels of either country stranded or wrecked on coasts of the other. (Art. X.)

(g) Local authorities of either country to notify consular officers of the other of decease of their nationals, under conditions stated. (Art. XIV.)

(h) All citizens of the United States and persons, corporations, companies, and associations entitled to its protection in Siam shall

be subject to the jurisdiction of the Siamese courts, as from the date when this treaty becomes effective. (Protocol, Art. I.) But the United States may, until all the Siamese codes are put into force and for five years thereafter, evoke any case pending in any Siamese court (except the Supreme or Dika Court) in which an American citizen, or a person, corporation, company, or association entitled to the protection of the United States is defendant or accused; and such case shall then be transferred to the United States diplomatic or consular official for adjudication, in accordance with rules and procedure stated in detail. (Ibid., Arts. II-IV.)

V. Exceptions.

(a) The coasting trade of both countries is excepted from provisions of this treaty, and is subject to regulation by their respective laws. (Art. IX.)

(b) The stipulations of this treaty do not in any way affect, supersede, or modify any of the laws, ordinances, or regulations with regard to trade, naturalization, immigration, police, and public security which may be enacted in either country (Art. XV.)

Treaty with Spain.

No. 46.

Treaty of friendship and general relations between the United States and Spain.

SIGNED 3 July, 1902. Ratifications exchanged 14 Apr., 1903. Effective for 10 years, and thereafter indefinitely, subject to reform or termination on 12 months' notice from either party. (Art. XXX.) Arts. XXIII and XXIV have been terminated as from 1 July, 1916. (U. S. 66th Cong., 1st sess., S. Doc. No. 2: 2.)

TEXT: United States Tr. II: 1701-12; Martens 81:369-79; Spanish and English, Spain Tr. 14:3-22.

I. Most-favored-nation treatment is reciprocally pledged in respect to:

(a) All rights and advantages regarding access to courts of justice, in person or otherwise, or concerning arrest of persons, seizure of property, and domiciliary visits to houses, factories, stores, etc., in either country. (Art. VI.)

(b) All favors, privileges, immunities, and exemptions accorded to diplomatic agents by either country. (Art. XII.)

(c) Recognition of consular officers (Art. XIII), and all rights, immunities, and privileges accorded to them by either country (Art. XXVIII).

(d) Right of citizens of either country to possess and preserve real estate in the other, subject to condition stated. (Art. III.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in respect to:

(a) Right of citizens of either country to enter, travel, and reside in all parts of the territories of the other (saving right of expulsion which each Government reserves to itself); with special reference to protection of persons and property and payment of any taxes, imposts, or conditions imposed by either country on persons or property of citizens of the other exercising industry or business therein. But these provisions are not intended to annul or prevent, or constitute any exception from, the laws or regulations in either country respecting taxation, commerce, health, police, and public security. (Art. II.)

(b) All duties of tonnage, pilotage, loading and unloading, light-house, quarantine, and any similar duties, no matter by whom or how levied in ports of either country on ships of the other, from whatever place arriving and whatever their destination (Art. VII.); except the coasting trade of both countries. (Art. IX.)

III. National treatment is reciprocally pledged in regard to:

(a) Disposal of and succession to personal property by will or otherwise, and payment of duties relating thereto. (Art. III.)

(b) Any succession, probate, and administrative duties or charges payable in either country by citizens of the other on sale of real property and withdrawal of proceeds from the country when disqualified by its laws from inheriting real estate therein. (Art. III.)

(c) Importation and exportation: All articles which may be legally imported into or exported from either country in its own vessels to or from any foreign country, may likewise be imported or exported in ships of the other; without paying other or higher duties or charges whatsoever, and subject to the same bounties and drawbacks, as if carried in national vessels (Art. VIII.); except the coasting trade of both countries. (Art. IX.)

(d) Any tonnage dues or port charges payable by vessels of either country discharging or loading cargo at different ports of the other on the same voyage; but coasting trade is excepted. (Art. IX.)

(e) Assistance, protection, and immunities granted by either country to vessels of the other seeking refuge from damage or shipwreck. (Art. X.)

IV. Other provisions.

(a) Exemption of each other's citizens from all compulsory military service by land or sea, and from all pecuniary contributions in lieu thereof; also from any obligatory official functions. Vessels or effects of citizens of either country may not be seized or detained by the other for any public use without sufficient compensation. (Art. V.)

(b) Right of citizens of either country, to exercise their worship in the other, and to bury their countrymen according to their re-

ligious customs; subject to constitution and laws of each country. (Art. IV.)

(c) Extensive provisions relating to appointment, rights, powers, functions, and privileges of consular officers in either country. (Arts. XIII-XXII, XXV-XXVIII.)

Treaty with Switzerland.

No. 47.

Convention of friendship, commerce, and extradition between the United States and Switzerland.

SIGNED 25 Nov., 1850. Ratifications exchanged 8 Nov., 1855. Effective for 10 years, and thereafter indefinitely, subject to termination by 12 months' notice from either party. (Art. XVIII.) Arts. VIII-XVII of this convention have not been in force since 1901. (United States Tr. I: 1763.)

TEXT: United States Tr. II: 1763-8; French, Martens 45: 25-31.

I. Most-favored-nation treatment is reciprocally pledged respecting privileges and powers of consular officers in either country. (Art. VII.)

II. National treatment is reciprocally pledged in respect to:

(a) All conditions regarding residence or establishment in either country (subject to not conflicting with constitutional or legal provisions in either country, and subject to exceptions noted below under IV); with special reference to exercise of commerce, industry, and professions; access to courts of justice, and other civil rights. (Art. I.)

(b) Right of citizens of either country to acquire, possess, and alienate personal property in the other by will or otherwise, and payment of charges relating thereto; also care of personal property in absence of heirs or other successors. (Arts. I and V.) The same provisions to apply in States and cantons of either country where foreigners are entitled to hold or inherit real property. In other States or cantons, heirs or successors to real estate may sell the property and withdraw proceeds from the country without paying to the Government any other charges than native citizens pay in similar cases. (Art. V.)

(c) Any imposts or contributions of any kind, payable in either country by citizens of the other; including any contributions required as a compensation for exemption from personal military service. (Art. II.)

III. Other provisions.

(a) Exemption of each other's citizens from personal military service. (Art. II.)

(b) Citizens of either country returning from the other to their native land, whether voluntarily or sent back by authorities of the

other country, must be received at all times and under all circumstances in the country to which they belong, they and their wives and legitimate issue. (Art. III.)

(c) Passports or other evidences of nationality are required by citizens of either country to establish their nationality in the other. (Art. IV.)

(d) Controversies concerning succession to property in either country to be decided by the laws and judges of the country in which the property is situated. (Art. VI.)

IV. Exceptions.

The national-treatment privileges noted under II *a* above do not extend to political rights in either country, nor to participation in the property of communities, corporations, or institutions of which the citizens of the other country have not become members or co-proprietors. (Art. I.)

Treaty with Tripoli.

No. 48.

Treaty of peace and amity between the United States and Tripoli.

SIGNED by both parties and ratified by Tripoli 4 June, 1805. Ratification advised by the U. S. Senate 12 Apr., 1806.

TEXT: United States Tr. II: 1788-93.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting peace and friendship, and any particular favor or privilege which either country may grant in navigation or commerce. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Protection to be given by either country to merchants, masters of vessels, and seamen of the other. (Art. XI.)

(b) Reciprocal right of establishing consuls in each country, and the privileges, immunities and jurisdictions to be enjoyed by such consuls. (Art. XI.)

II. Other provisions.

(a) Vessels of either country putting into ports of the other, and having need of provisions or other supplies, shall be furnished at the market price; and if so putting in because of disaster at sea and needing repair, they may land and reload their cargoes without paying any duty whatever. (Art. VIII.)

(b) Assistance to be given to vessels and their crews of either country in case of damage or shipwreck on shores of the other. (Art. IX.)

(c) Consuls and agents of either country shall be free in the other to exercise their religion in their own houses; shall have liberty and personal security when traveling within territories of

the other by land or sea, and may appoint their own dragoman and brokers. (Art. XIV.)

(d) Consular jurisdiction of disputes between Americans, or any persons under their protection, or between Americans and citizens of any other nation having a consul at Tripoli. (Art. XVIII.)

(e) Homicides and assaults to be tried by the law of the country, the consul assisting. (Art. XIX.)

(f) Consular administration of estates of deceased Americans. (Art. XX.)

(g) Detailed provisions relating to exchange of prisoners, and to rights of nationals and vessels, etc., of either country when the other is at war. (Arts. II-VII, X, XVI, XVII.)

Treaty with Turkey¹² (Ottoman Empire).

No. 49.

Treaty of commerce and navigation between the United States and Turkey.

SIGNED 7 May, 1830. Ratifications exchanged 5 Oct., 1831. Duration indefinite.

TEXT: United States Tr. II: 1318-20; Martens 19: 77-81.

I. Most-favored-nation treatment is reciprocally pledged regarding duties and imposts payable by merchants of either country at ports of the other (Art. I); and liberty for merchant vessels of the United States to pass the canal and to go and come in the Black Sea (Art. VII).

Most-favored-nation treatment is further pledged by Turkey regarding right of American merchants to employ brokers of any nation or religion; and regarding inspection of American vessels by customhouse officers in ports of the Ottoman Empire (Art. III).

II. Other provisions of this treaty relate to litigation between Turkish subjects and American citizens in Turkey; United States consular jurisdiction (Art. IV); and assistance by either country to vessels of the other in case of shipwreck (Art. IX).

Treaty with Uruguay.

No. 50.

Convention between the United States and Uruguay to foster and develop commerce by facilitating the work of traveling salesmen.

SIGNED 27 Aug., 1918. Ratifications exchanged 2 Aug., 1919. Terminable at any time by six months' notice from either party. (Art. X.)

TEXT: English and Spanish, U. S. T. S. No. 640; Spanish, Uruguay Bol. Ext. 1918: 1161-4.

I. Most-favored-nation treatment is reciprocally pledged respecting any concession which either party may grant by law, treaty,

¹² The treaty of commerce and navigation concluded 25 Feb., 1862, is contended to have been abrogated, as from 5 June, 1884, upon notice given by Turkey. (United States Tr. II: 1321.)

or convention, affecting any of the provisions of this convention (Art. IX) which relate to:

(a) Right of manufacturers, merchants, and traders domiciled in either country to operate within the jurisdiction of the other, personally or by agents or employees, on obtaining a license therefor in the manner specified; each country, however, reserving the right to prevent such operation in case of war under conditions stated. (Arts. I-II.)

(b) A commercial traveler may sell his samples without obtaining a special license as an importer. (Art. III.)

(c) Samples without commercial value are admitted to entry free of duty. (Art. IV.)

(d) Samples having commercial value are provisionally admitted upon giving bond for payment of lawful duties if not withdrawn from the country within six months; duties to be paid on portion of samples not so withdrawn. (Art. V.)

(e) All customs formalities shall be simplified to avoid delay in dispatching samples. (Art. VI.)

(f) Peddlers and other salesmen who vend directly to consumers, even though they have no established place of business in that country, shall not be considered as commercial travelers, but are subject to the license fees levied on business of the kind they carry on. (Art. VII.)

II. Exceptions.—No license shall be required of:

(a) Persons traveling only to study trade and its needs, even though they initiate commercial relations, provided they do not make sales of merchandise.

(b) Persons operating through local agencies which pay the license fee or other imposts to which their business is subject.

(c) Travelers who are exclusively buyers. (Art. VIII.)

Treaty with Venezuela.

No. 51.

Convention between the United States and Venezuela to foster and develop commerce by facilitating the work of traveling salesman.

SIGNED 3 July, 1919. Ratifications exchanged 18 Aug., 1920. Terminable at any time by six months' notice from either party. (Art. X.)

TEXT: English and Spanish, U. S. T. S. No. 648.

I. Most-favored-nation treatment is reciprocally pledged respecting any concession which either party may grant by law, treaty, or convention affecting any of the provisions of this convention (Art. IX) which relate to:

(a) Right of manufacturers, merchants, and traders domiciled in either country to operate within the jurisdiction of the other, per-

sonally or by agents or employees, on obtaining a license therefor in the manner specified; each country, however, reserving the right to prevent such operation in case of war under conditions stated. (Arts. I-II.)

(b) A commercial traveler may sell his samples without obtaining a special license as an importer, provided he sells them to merchants duly established dealing in similar articles. (Art. III.)

(c) Samples without a commercial value are admitted to entry free of duty. (Art. IV.)

(d) Samples having a commercial value are provisionally admitted upon giving bond for payment of local duty if not withdrawn from the country within six months; duties to be paid on portion of samples not so withdrawn. (Art. V.)

(e) All customs formalities shall be simplified to avoid delay in dispatching samples. (Art. VI.)

(f) Peddlers and other salesmen who vend directly to consumers, even though they have no established place of business in that country, shall not be considered as commercial travelers but are subject to the license fees levied on business of the kind they carry on. (Art. VII.)

II. Exceptions.—The commercial travelers' license referred to under I *a* above shall not be required of:

(a) Persons traveling only to study trade and its needs, even though they initiate commercial relations, provided they do not make sales of merchandise.

(b) Persons operating through local agencies which pay the license fee or other imposts to which their business is subject.

(c) Travelers who are exclusively buyers. (Art. VIII.)

ARGENTINA.

Treaties with America, United States of.

Treaties of Argentina with the United States have been previously dealt with in this volume under America, United States of, Nos. 1 and 2.

Treaty with Bolivia.

No. 52.

Treaty of peace, friendship, commerce, and navigation between Argentina and Bolivia.

SIGNED 9 July, 1868, at Buenos Aires. Effective from 24 Sept., 1869, for 12 years, and thereafter until terminated by 12 months' notice from either party; except as to friendship and free competition of each other's industries, which are declared perpetual. (Art. XXI.)

TEXT: Spanish, Bolivia Tr. Vig.: 15-30; Argentina Tr. 2: 64-9; English (transl.), B. F. S. P. 72: 601-11.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms with regard to exemptions, immunities, and privileges to be accorded to diplomatic and consular officers of either country in the other. (Art. XVI.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to any prohibitions, restrictions, or charges imposed on commerce between the two countries. (Art. XII.)

III. National treatment is reciprocally pledged in regard to:

(a) All citizens' rights (except political); all taxes or imposts levied in either country; and practice of scientific professions under conditions stated. (Art. III.)

(b) Means or resources permitted to be employed in judicial actions. (Art. VI.)

(c) Security of literary property and of industrial inventions. (Art. VII.)

(d) Right to import or export any merchandise in vessels of either nation, and all duties, rebates, exemptions, charges, or dues relating thereto; with special reference to charges for tonnage, lightage, anchorage, or other dues affecting the hull of the ship. (Art. XII.)

(e) Permission to vessels of either country to enter all ports of the other (Art. XII); also rules and advantages applying to war-ships or mail boats of either country in ports of the other. (Art. XIV.)

IV. Other provisions.

(a) Exemption of each other's citizens from all personal military service by land or sea and from all war taxes, forced loans, and military requisitions. (Art. VIII.)

(b) Free navigation of the river Plate and its tributaries. (Art. XII.)

(c) Conciliation or arbitration of differences between the two countries, with special reference to boundary disputes. (Arts. XIX, XX.)

(d) In case of war between the two countries, citizens of either country may continue their labors in the other without interruption so long as they conduct themselves peaceably and observe the laws; their property to be exempt from seizure, detention, or sequestration. (Art. XIX.)

(e) Nationality of ships under flag of either country to be determined by ship's papers required by national laws. (Art. XIV.)

(f) Extensive provisions relating to recovery of seamen deserters (Art. IX), piracy, neutrality and contraband (Art. XIV), and arrangements to regulate overland commerce. (Arts. XI, XV.)

Treaties with Brazil.

No. 53.

Treaty of peace, friendship, commerce, and navigation between Argentina and Brazil.

SIGNED 7 Mar., 1856, at Parana. Ratifications exchanged there 25 June, 1856. Duration indefinite.

TEXT: Spanish, Argentina Tr. 2: 426-38; Portuguese, Brazil Cod. Rel. Ext., 1900, No. 60; English (transl.), B. F. S. P. 46: 1310-15.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting all rights, exemptions, and immunities which either country may accord to diplomatic and consular agents, and to the citizens, vessels, or products of any other country. (Art. VI.)

II. National treatment is reciprocally pledged to the respective merchant vessels and war ships of both countries with regard to free navigation of the Rivers Parana, Uruguay, and Paraguay, and their right to enter, remain, load, and unload in all places and ports open for the purpose in these rivers; subject only to fiscal and police regulations. (Arts. XIV, XV.)

III. Other provisions.

(a) Exemption of each other's citizens from all compulsory military service of every kind and from all forced loans and military imposts or requisitions. (Art. VIII.)

(b) Both countries engage to place and maintain beacons and signals on the Rivers Parana, Uruguay, and Paraguay and to establish in these rivers a uniform system of collecting customs duties, and port, lighthouse, pilotage, and police dues. (Arts. XVI, XVII.)

(c) Both countries agree to insist on continued possession of the Island of Martin Garcia by one of the States of the Plate interested in its free navigation; also to use their influence against its being used to impede free navigation for the parties to the treaties of 10 July, 1853, and to insure its neutrality in time of war. (Art. XVIII.)

(d) In case of war between any of the States of the River Plate or its affluents, both countries undertake to maintain free navigation of the Rivers Parana, Uruguay, and Paraguay in the parts belonging to them, except with respect to articles contraband of war. (Art. XIX.)

(e) Extensive provisions concerning territorial integrity of both countries (Art. II); independence and integrity of Uruguay (Arts. III, IV); recognition of nationality of each other's vessels (Art. VII); military and naval deserters (Art. IX); contraband of war (Art. XI); neutrality (Art. XII); piracy (Art. XIII); and principles to be observed by either country in case the other is at war (Art. X).

No. 54.

Additional convention between Argentina and Brazil for free navigation of the Rivers Uruguay, Parana, and Paraguay.

SIGNED 20 Nov., 1857, at Parana. Effective from 20 July, 1858, for six years, and thereafter subject to modification on eight months' notice from either party. (Art. XLI.)

TEXT: Spanish, Argentina Tr. 2:439-62; Portuguese, Brazil Cod. Rel. Ext., 1900, No. 61; English (transl.), B. F. S. P. 49:1306-15.

(a) Mutual recognition of the Rivers Uruguay, Parana, and Paraguay as being free to the commerce of all nations, from the River Plate to the ports opened for that purpose in each of the said rivers by the respective States, in conformity with concessions already made by both countries in their decrees, laws, and treaties. (Art. I.)

(b) This freedom of navigation conceded to all flags is not understood to apply to the affluents (save special stipulations to the contrary), nor to the navigation from one port to another of the same nation, which may both be reserved by each State for its own flag. (Art. II.)

(c) This convention does not prejudice the greater or different favors then or thereafter reciprocally granted by either country to the other by special stipulations. (Art. XXXVIII.)

(d) War vessels of the riverain States to have freedom of transit and entry in the whole course of the rivers open for merchant vessels. War vessels of nations not riverain are permitted to proceed only so far as may be allowed by each riverain State. (Art. III.)

(e) Freedom of river transit from all imposts of whatever kind, except to cover expenses of conservation of the river, lights, buoys, pilotage, and other aids to facilitate navigation. (Arts. XXXII, XXXIII.)

(f) Vessels of war are exempt from all transit or port dues. They shall not be delayed on their passage under any pretext whatever; and shall enjoy such other exemptions, honors, or favors as are in general use among civilized nations. (Art. XXXV.)

(g) Extensive provisions relating to improvement of navigation channels (Arts. IV-VI); detention of vessels (Art. VII); nationality of vessels (Arts. VIII-IX); policing of rivers (Arts. X-XV, XXIV); treatment of damaged or ship-wrecked vessels (Arts. XVI, XXII, XXV, XXVI); transshipments (Arts. XIX-XXIII); pilots and pilotage dues (Arts. XXVII-XXXI); placing of buoys and other marks (Art. XXXI); and sanitary regulations (Art. XXVI).

Treaty with France.

No. 55.

Treaty between Argentina and France for the free navigation of the Rivers Parana and Uruguay.

SIGNED 10 July, 1853, at San Jose de Flores. Ratifications exchanged 21 Sept., 1854, at Parana. Terminable on 12 months' notice by either party. (Addl. conv. of 19 Aug., 1892,¹³ Art. II.)

TEXT: French, France Tr. I: 281-3; Clercq 6: 377-9; Martens 60: 294-5; Spanish, Argentina Tr. 8: 234-41.

I. Most-favored-nation treatment is reciprocally pledged without restriction respecting any favor or immunity which either country may accord to the flag, commerce, nationals, products, and vessels of any other nation, with special reference to tariffs. (Art. VIII, and addl. conv.¹³)

II. Other provisions.

(a) Argentina concedes the free navigation of the Rivers Parana and Uruguay to the merchant vessels of all nations (Arts. I, II); even in case of war between any of the States of the River Plate or its affluents, except for munitions of war (Art. VI).

¹³ French, France Tr. I: 283-4; Martens 68: 543-4; Spanish, Argentina Tr. 8: 261-6.

(b) Argentina agrees to maintain beacons and marks to point out the channels (Art. III); and to establish a uniform system of collecting customhouse duties, harbor, lights, police, and pilotage dues, along the whole course of the waters belonging to her. (Art. IV.)

(c) Both countries agree to use their influence to prevent the possession of the Island of Martin Garcia from being held by any State of the River Plate, or its affluents, which shall not have given its adhesion to the principle of the free navigation of the Rivers Parana and Uruguay. (Art. V.)

Treaty with Germany.

No. 56.

Treaty of friendship, commerce, and navigation between Argentina and Germany (Customs union).

SIGNED 19 Sept., 1857, at Parana. Effective from 3 June, 1859, for eight years, and thereafter until terminated by 12 months' notice from either party. (Art. XIV.)

TEXT: German, Hdv. 1906: 1-7; Spanish, Argentina Tr. 1:24-35; English (transl.), B. F. S. P. 47: 1277-83.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms regarding any favor, exemption, privilege, or immunity which either country may concede in respect of commerce or navigation to any other Government, nation, or State. (Art. III, and separate article.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to enter with ships and cargoes, including mail boats and warships, to all places, ports, and rivers open to foreigners in either country; with right to hire and occupy houses and warehouses for residence and commerce, and to trade in all articles of lawful commerce, with complete protection and security; subject always to the laws and ordinances of the country. (Art. II.)

(b) All duties imposed by either country on importation of products of the other, and on exportation of any articles to the other. (Art. IV.)

(c) Any prohibitions imposed on importation or exportation of products of either country to or from the other. (Art. IV.)

(d) All privileges, prerogatives, and rights in matters concerning police of the ports; loading and unloading of vessels; security of merchandise, goods, and effects; administration of justice; and acquisition or disposal of property of all kinds in any manner whatever. (Art. IX.)

(e) All privileges, exemptions, and immunities conceded to consuls in either country. (Art. XI.)

(f) All liberties, rights, and protection granted by either country in regard to religious worship, including right to acquire, occupy, build, and maintain churches, chapels, and cemeteries. (Art. XIII.)

II. National treatment is reciprocally pledged in regard to:

(a) All duties on account of tonnage, light, harbor, pilotage, salvage, and any similar dues or local charges imposed in ports of either country on ships of the other. (Art. V.)

(b) All duties imposed and all allowances and privileges conceded by either country on importation or exportation of any articles to or from the other, whether carried by vessels of either nation. (Art. VI.)

(c) Right of citizens of either country to manage their affairs in the other, personally or otherwise, without paying other fee or salary to persons employed than native citizens pay, including right of buyers and sellers to bargain and fix prices of any articles in accordance with the customs and laws of the country. (Art. VIII.)

(d) All rights and privileges concerning protection of persons and properties in either country, including free access to courts of justice, and right to employ advocates or others therein. (Art. VIII.)

(e) All imposts or duties payable in either country for police of the ports, loading, or unloading of ships, security of merchandise and effects, administration of justice, and acquisition or disposal of every kind of property in any manner whatever. (Art. IX.)

(f) Payment of ordinary charges, requisitions, or taxes in either country. (Art. X.)

(g) Any exactions demanded from private property in case of rupture or war between the two countries. (Art. XII.)

III. Other provisions.

(a) Nationality of vessels of either country to be recognized by the other if carrying ships' papers required by law. (Art. VII.)

(b) Consular administration of estates of their deceased nationals. (Art. IX.)

(c) Citizens of either country are exempt in the other from all obligatory military service by land or sea, and from all forced loans and military aid or requisitions. (Art. X.)

(d) Archives and papers of consuls of either country to be inviolably respected by public employees and local authorities of the other. (Art. XI.)

(e) In case of rupture or war between the two countries, citizens of either residing in the other may remain and continue their trade or occupation without interruption, so long as they conduct themselves peaceably and do not transgress the laws. (Art. XII.)

Treaty with Great Britain.

No. 57.

Treaty of friendship, commerce, and navigation between Argentina and Great Britain.

SIGNED 2 Feb., 1825. Ratifications exchanged 12 May, 1825. Duration indefinite.

TEXT: English, B. F. S. P. 12:29-37; Hdb. 1912:1-6; Spanish, Argentina Tr. 8:278-88.

I. Most-favored-nation treatment is reciprocally pledged in respect to:

(a) Free and secure access with ships and cargoes to all places, ports, and rivers open to foreign commerce in territories and dominions of either country; also right to hire and occupy houses and warehouses, and to trade in all articles of lawful commerce, subject to the laws and regulations in force. (Arts. II, III.)

(b) All duties imposed by either country on importation of products of the other; and all prohibitions imposed against importation or exportation of products of either country. (Art. IV.)

(c) All duties or charges imposed by either country on exportation of any articles to the territories or dominions of the other. (Art. IV.)

(d) All privileges, liberties, and rights relating to loading and unloading of ships; safety of merchandise, goods, and effects; administration of justice; and disposal of property of every kind in any manner whatever. (Art. IX.)

II. National treatment is reciprocally pledged in respect to:

(a) All duties or charges on account of tonnage, light, harbor, pilotage, salvage, or any other local charges imposed in ports of either country on vessels of the other of over 120 tons burthen. (Art. V.)

(b) Equal treatment of vessels of either country in ports of the other; the same duties to be paid and the same bounties or drawbacks allowed on importation of each other's products, or exportation of products of either country to the other, whether carried in vessels of either nation. (Art. VI.)

(c) Equal treatment of subjects of either country in Argentina as regards right to manage their affairs in person or otherwise, without being obliged to pay brokers, agents, interpreters, or other persons, unless they shall choose to employ them; and freedom of buyers and sellers to bargain and fix prices of any goods imported into or exported from Argentina. (Art. VIII.)

(d) All duties and imposts in whatever relates to loading and unloading of ships; safety of merchandise, goods, and effects; administration of justice; or disposal of property of all kinds in any

manner; and all ordinary taxes payable in either country by citizens of the other. (Art. IX.)

(e) Any demands made by either country upon property or effects of citizens of the other, in case of rupture of friendly relations between the two countries. (Art. XI.)

III. Other provisions.

(a) Rules for determining nationality of vessels of either country. (Art. VII.)

(b) Exemption of each other's citizens from compulsory service by sea or land, and from all forced loans, and military exactions or requisitions. (Art. IX.)

(c) In case of rupture of friendly relations, citizens of either country residing in dominions of the other may remain and continue their trade without interruption so long as they behave peaceably and commit no offense against the laws; their property to be exempt from seizure or sequestration, and from all other demands except those imposed likewise upon property of native citizens. (Art. XI.)

(d) Liberty of conscience and of religious belief in either country, including right to build, establish, and maintain churches, chapels, and cemeteries. (Art. XII.)

(e) Reciprocal right to dispose of property by will in either country, and consular jurisdiction of intestate estates. (Art. XIII.)

(f) Argentina engages to cooperate with Great Britain to complete the abolition of slavery. (Art. XIV.)

Treaty with Italy.

No. 58.

Convention between Argentina and Italy respecting most-favored nation treatment.

SIGNED 1 June, 1894, at Buenos Aires. Duration indefinite. Terminable by 12 months' notice from either party. (Protocol of 31 Jan., 1895.¹⁴)

TEXT: Spanish, Argentina Tr. 8:517-23; Italian, Italy Tr. 1911, I:3-4; Martens 73:15-16; English (transl.), B. F. S. P. 87:1169-70.

Most-favored-nation treatment is pledged reciprocally and without restriction respecting any favor, privilege, or immunity which either country may accord to citizens, products, or vessels of any other nation. (Art. I.)

¹⁴ B. F. S. P. 87:1175.

Treaty with Japan.

No. 59.

Treaty of friendship, commerce and navigation between Argentina and Japan.

SIGNED 3 Feb., 1898, at Washington. Ratifications exchanged there 18 Sept., 1901. Effective from exchange of ratifications for indefinite term, subject to termination on six months' notice from either party. (Art. 13.)

TEXT: English (authentic), B. F. S. P. 92:223-7; Martens 87:817-21. Spanish and English, Argentina Tr. 9:5-21; Japan Tr. 1918:34-42.

I. Most-favored-nation treatment¹⁵ is reciprocally but conditionally pledged in regard to any favor; privilege, or immunity whatever relating to commerce, navigation, travel, or residence in the territories and possessions of either country (Art. 4); except the coasting trade of both countries. (Art. 8.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All rights, privileges, exemptions, or immunities accorded to diplomatic or consular agents in either country. (Art. 2.)

(b) Right to enter with ships and cargoes all places, ports, rivers, and straits in the territories and possessions of either country; to hire and occupy houses and warehouses; and to trade by wholesale or retail in any article of lawful commerce. (Art. 3.)

(c) Duties imposed by either country on importation of products of the other, whether destined for consumption, warehousing, re-exportation, or transit. (Art. 5.)

(d) Duties or charges imposed by either country on exportation of any article to the other. (Art. 5.)

(e) Any prohibitions imposed by either country against importation or transit of products of the other, or against exportation of any articles to the other. (Art. 5.)

(f) Everything relating to transit, warehousing, bounties, facilities, drawbacks, reexports, and transit duties. (Art. 6.)

(g) All duties or charges on account of tonnage, light, harbor, pilotage, quarantine, salvage, or any similar or corresponding duties or charges of whatever nature, no matter by whom or how levied, imposed in any of the ports, rivers, or straits of either country on vessels of the other. (Art. 7.)

(h) All privileges, immunities, and exemptions relating to billeting of soldiers, compulsory military service by land or sea, contributions of war, military exactions or forced loans. (Art. 12.)

II. National treatment is reciprocally pledged in regard to full and perfect protection for persons and property, with open access to courts of justice and right to employ advocates or others therein. (Art. 11.)

¹⁵ The term "most-favored-nation treatment" as used in this treaty means treatment accorded to European nations or to the United States of America.

III. Other provisions.

(a) Coasting trade to be regulated according to the laws of each country. (Art. 8.)

(b) Nationality of vessels determined by the laws and regulations of each country. (Art. 9.)

(c) Citizens of either country to enjoy in the other complete liberty of conscience, the right of private or public worship, and of burial according to their religious customs; subject to the laws and regulations in force. (Art. 11.)

Treaty with Norway.

See Sweden and Norway, No. 62.

Treaty with Persia.**No. 60.***Treaty of friendship and commerce between Argentina and Persia.*

SIGNED 27 July, 1902, at Ostend. Ratifications exchanged 14 Apr., 1905, at Brussels. Effective from 14 June, 1905, for indefinite term, subject to termination on 12 months' notice from either party. (Art. VI.)

TEXT: French (authentic), Martens 84:445-7; Spanish, Argentina Tr. 9:301-4.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all rights, liberties, favors, and immunities to be enjoyed by citizens of either country in the other, as regards their persons and property. (Art. III.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) All rights, privileges, favors, immunities, and exemptions accorded by either country to diplomatic and consular agents. (Art. II.)

(b) All duties imposed by either country on importation, consumption, warehousing, reexportation, or transit of products of the other. (Art. IV.)

(c) Any prohibitions which either country may exceptionally impose against importation or exportation of any article to or from the other; except special sanitary measures, or to prevent spread of epizootic diseases and destruction of harvests, or measures connected with war. (Art. IV.)

II. Other provisions.—Disputes between the two countries to be submitted to arbitration of a friendly power. (Art. V.)

Treaty with Spain.

No. 61.

Final treaty of recognition, peace, and friendship between Argentina and Spain.

SIGNED 21 Sept., 1863, at Buenos Aires. Duration indefinite.

TEXT: Spanish, Argentina Tr. 8:71-82; English (transl.), B. F. S. P. 53:307-11.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting all exemptions, favors, or privileges relating to commerce, customs, or navigation. (Art. X.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Terms, conditions, and obligations regarding exercise of trades and professions in either country, and acquisition, possession, and disposal of or succession to property of all kinds, in any manner, including export of property or of proceeds if sold; all in accordance with laws of each country. (Art. VIII.)

(b) All ordinary imposts payable on account of calling, trade, or property in either country. (Art. IX.)

(c) All duties imposed by either country on imports or exports to or from the other, and all port dues incidental thereto. (Art. X.)

II. Other provisions.—Exemption of each other's citizens from all military service by land or sea, and from all extraordinary contributions or forced loans. (Art. IX.)

Treaty with Sweden and Norway.

No. 62.

Treaty of friendship, commerce, and navigation between Argentina and Sweden and Norway.

SIGNED 17 July, 1885, at Vienna. Ratifications exchanged 14 Jan., 1896, at Buenos Aires. Effective from date of ratification for 10 years and thereafter terminable on 12 months' notice by either party. (Art. XIV.)

TEXT: Spanish, Argentina Tr. 10:125-38; Martens 62:497-501; French, B. F. S. P. 82:963-8; Martens 79:3-8; Sweden Tr. 1910:529-33; Norwegian, Norway Tr. 1914:26-31.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any favor, exemption, privilege, or immunity which either country may accord in matters of commerce and navigation to the citizens and subjects of any other Government, Nation or State. (Art. III.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All duties imposed by either country on importation of products of the other; also all prohibitions imposed against importation or exportation of their respective products. (Art. IV.)

(b) All duties imposed by either country on exportation of any articles to the other. (Art. IV.)

(c) All rights, privileges, and prerogatives relating to policing of ports; loading and unloading of vessels; safety of merchandise, goods, and effects; acquisition and disposal of property of every description by will or otherwise; and concerning administration of justice. (Art. IX.)

(d) All privileges, exemptions, and immunities conceded by either country to consuls. (Art. XI.)

(e) Every liberty, right, and protection in the exercise of religion, including right to build, establish, and maintain churches, chapels, and cemeteries. (Art. XIII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged to citizens of either country regarding free and secure entrance with ships and cargoes to all places, ports, and rivers in the other; also right to reside therein, to hire and occupy houses and warehouses, and to trade in all kinds of merchandise, with complete protection and security in all respects, subject to the laws and regulations in force. (Art. II.)

III. National treatment is reciprocally pledged in regard to:

(a) All duties imposed in ports of either country on vessels of the other, on account of tonnage, lighthouse, port, pilotage, salvage, or other local taxes. (Art. V.)

(b) All duties imposed and all discounts or bounties allowed on importation or exportation of any article to or from either country in vessels of either nation. (Art. VI.)

(c) Right of citizens of either country to manage their affairs in the other personally or otherwise, without being obliged to pay other or higher remuneration to persons they may choose to employ than native citizens pay; also the right of buyers and sellers to bargain freely and fix prices of any articles imported into or exported from either country, subject to observing the laws and customs of the country. (Art. VIII.)

(d) All rights and privileges concerning access to courts of justice, and employment of advocates or others therein. (Art. VIII.)

(e) All duties concerning police of ports; loading and unloading of vessels; safety of merchandise and effects; and acquisition or disposal of property of all kinds in any manner whatever, subject to the laws and regulations in force. (Art. IX.)

(f) Payment of ordinary charges, requisitions, or taxes (Art. X), and any demands made by either country upon property of citizens of the other in case of rupture or war between the two countries. (Art. XII.)

IV. Other provisions.

(a) Exemption of each other's citizens from all compulsory service by land or sea, and from all forced loans and military requisitions. (Art. X.)

(b) In case of rupture or war between the two countries, citizens of either residing in the other may remain and continue their occupation and business freely, so long as they conduct themselves peacefully and do not transgress the laws. (Art. XII.)

(c) Nationality of vessels of either country to be recognized by the other according to their respective laws. (Art. VII.)

(d) Consular archives and papers of either country to be considered inviolable in the other. (Art. II.)

(e) Citizens of either country who have become naturalized in the other, and who return to their native land with intention of being domiciled there, are considered to have renounced their naturalization after two years' residence in the country of origin. (Add. art.)

Treaties with the United States of America.

Treaties of Argentina with the United States have been previously dealt with in this volume under America, United States of, Nos. 1 and 2.

AUSTRALIA.

See British Empire, page 290, note 40.

AUSTRIA.¹⁶

Treaties with America, United States of.

Treaties of Austria with the United States have been previously dealt with in this volume under America, United States of, No. 3.

Treaty with the Allied and Associated Powers.

No. 63.

Treaty of peace between Austria and the Allied and Associated Powers.

SIGNED ¹⁷ 10 Sept., 1919, at St. Germain. Effective from 16 July, 1920, for indefinite term; but various time limits are placed on operation of specified articles of the treaty.

CONTRACTING STATES: The following States have ratified the treaty: Austria, Belgium, the British Empire, China, Cuba, Czechoslovakia, France, Greece, Italy, Japan, Nicaragua, Rumania, Serb-Croat-Slovene State, and Siam.

TEXT: English, U. S. 66th Cong., 1st sess., S. Doc. No. 92; G. B. T. S. 1919, No. 11, Cmd. 400.

I. Most-favored-nation treatment is unconditionally pledged by Austria to all Allied and Associated States (subject to exceptions, limitations, and extensions as noted below under II *a-e*) in respect to:

(*a*) **IMPORTATION, EXPORTATION, TRANSIT.**—Every favor, immunity, or privilege granted by Austria in regard to importation, exportation, or transit of goods. (Art. 220.)

(*b*) **IMPORTATION.**—All duties or charges (including internal charges), and all prohibitions or restrictions imposed on importation into Austrian territory of products of any Allied or Associated State, from whatever place arriving. (Art. 217.)

No discrimination to be made, on importation, against the commerce of any Allied or Associated State, even by indirect means, such

¹⁶ For detailed stipulations in Austria's treaty of peace of 10 Sept., 1919, with the Allied and Associated Powers concerning her treaty relations after the World War, see Arts. 234-47 of that treaty, noted in this volume under No. 63, VII *f-h*. See also p. 187, note 20.

¹⁷ Signed by the following Powers: America, United States of, British Empire, France, Italy, and Japan (these Powers being described in the treaty as the Principal Allied and Associated Powers); Belgium, China, Cuba, Czechoslovakia, Greece, Nicaragua, Panama, Poland, Portugal, Rumania, Serb-Croat-Slovene State, and Siam (these Powers constituting with the Principal Powers mentioned above the Allied and Associated Powers); and Austria.

as customs regulations and procedure, methods of verification or analysis, conditions of payment of duties, tariff classification or interpretation, or the operation of monopolies. (Art. 218.)

Until 16 July, 1923, fruits (fresh and dried), fresh vegetables, olive oil, eggs, pigs and pork products, and live poultry, so far as such products enjoyed on 28 July, 1914, rates conventionalized by treaties with the Allied and Associated Powers, shall not, when imported into Austria from Allied and Associated States, be subject to higher duties than the most favorable rates applied to said products on 28 July, 1914. (Art. 223.)

(c) **EXPORTS.**—All duties or charges (including internal charges) in all that concerns exportations of Austrian products to any Allied and Associated State, and any prohibitions or restrictions on exportation of any goods sent from Austrian territory to any such State. (Art. 219.)

(d) **TRADE AND INDUSTRY.**—Any prohibitions, regulations, or restrictions in regard to occupations, professions, trade, and industry. (Art. 228.)

(e) **AIRCRAFT.**—Treatment of aircraft of Allied and Associated Powers as regards internal commercial air traffic in Austria. (Art. 281.)

(f) **SEAPORTS.**—Treatment of seaports of Allied and Associated Powers as regards all favors and reduced tariffs granted on Austrian railways or navigable waterways for the benefit of any port of another power. (Arts. 288-9.)

II. Exceptions, limitations, and exténsions.

(a) Articles 217-20 can not be invoked by Allied and Associated States to secure the advantage of any arrangement which Austria may make until 16 July, 1925, with Hungary or Czechoslovakia for a special customs régime regarding products which both originate in and come from these countries. (Art. 222.)

(b) Unless the League of Nations decides otherwise, none of the Allied and Associated Powers is entitled to require fulfillment by Austria of provisions of Articles 217-20 after 16 July, 1923, unless that power accords correlative treatment to Austria. (Art. 232.)

(c) The obligations imposed upon Austria by Articles 217 to 224 shall cease to have effect on 16 July, 1925, unless the council of the League of Nations decides before 16 July, 1924, that these obligations shall be maintained for a further period with or without amendment. (Art. 232.)

(d) Article 228 may be kept in operation after 16 July, 1925, with or without amendment, for a further period not exceeding five years by a majority of the council of the League of Nations. (Art. 232.)

(e) Provisions of Article 281 remain in force until 1 Jan., 1923, subject to contingency noted below under VI. (Art. 283.)

III. National or most-favored-nation treatment (optional) is unconditionally pledged by Austria to all the Allied and Associated Powers (subject to exceptions and limitations noted below under IV) in respect to:

(a) **PORTS, WATERWAYS, AND RAILWAYS.**—Transit through Austrian territories, by rail, waterway, or canal, of persons, goods, vessels, carriages, wagons, and mails coming from or going to any Allied and Associated State, whether contiguous or not. Such persons, goods, vessels, etc., shall not be subjected to any transit duty or to any delays or restriction, and shall be entitled in Austria to national treatment as regards charges, facilities, and all other matters. Goods in transit to be exempt from all customs or other similar duties. All transport charges to be reasonable, and no charge, facility, or restriction shall depend on ownership or nationality of the ship or other means of transport employed for any part of the through journey. (Art. 284.)

(b) **TAXES, CHARGES, AND PROHIBITIONS.**—Austria undertakes to make no discrimination or preference, direct or indirect, in the duties, charges, and prohibitions relating to importations into or exportations from her territories, or (subject to special arrangements contained in this treaty) in the charges and conditions of transport of goods or persons entering or leaving her territories, based on nationality of ports or means of transport employed, or on any of the other grounds or reasons detailed. Austria particularly undertakes not to establish against the ports and vessels of any Allied or Associated Power any surtax or any direct or indirect bounty for export or import by Austrian ports or ships, or by those of another power, for example, by means of combined tariffs. (Art. 286.) By way of exception, however, products in transit by the ports which before the war were in Austro-Hungarian territory shall, until 16 July, 1923, enjoy on importation into Austria reductions of duty as under the customs tariff of 13 Feb., 1906. (Art. 221.)

(c) **TRANSIT TRAFFIC.**—Transportation of goods in transit from or to territories of Allied and Associated Powers, as regards rapidity of carriage and care en route, with special reference to perishable goods and customs formalities relating thereto. (Art. 287.)

(d) **NAVIGATION.**—Treatment of vessels and property of nationals of the Allied and Associated Powers in ports and on inland navigation routes in Austria, in all respects, including transport of goods and passengers without unnecessary impediment to or from any ports or places in Austrian territory to which Austrian vessels may have access; with special reference to port and harbor facilities and charges of every description, no matter by whom or how levied. (Art. 290.) But Austrian vessels can not carry passengers or goods by regular service between ports of any Allied or Associated Power without special authority from such power. (Art. 293.)

(e) **INTERNATIONAL WATERWAYS.**—Equal treatment of the property and flags of all Powers on the Austrian waterways declared to be international, with special reference to the Danube River system and its lateral canals and channels. (Arts. 291-2.)

(f) **INTERNATIONAL TRANSPORT.**—Treatment on Austrian railways of goods coming from territories of the Allied and Associated Powers and going to Austria, or in transit through Austria from or to said territories, as regards charges, facilities, and all other matters; with special reference to conditions of transport and length of route. Austria undertakes to maintain on her own lines the régime of tariffs existing before the war as regards traffic to Adriatic and Black Sea ports, from the point of view of competition with North German ports. (Art. 312.)

(g) **USE OF RAILWAYS.**—Railway tariffs (including drawbacks and rebates) applicable under the same conditions of speed and comfort to transportation of emigrants going to or coming from ports of Allied and Associated Powers and using the Austrian railways. Austria must cooperate in establishment of through ticket services (for passengers and their luggage) required by any of said powers to insure their communication by rail with each other and with all other countries by transit through Austria, and must accept trains and carriages coming from territories of said powers. (Arts. 314-16.)

(h) **TELEGRAPHS AND TELEPHONES.**—Freedom of transit for telegraphic correspondence and telephonic communications coming from or going to any Allied or Associated Power, whether neighbor or not, over lines most suitable for international transit, and without unnecessary delay or restriction. No payment, facility, or restriction shall depend directly or indirectly on nationality of transmitter or addressee. (Art. 326.)

IV. Exceptions and limitations.

The stipulations in Articles 284-90, 293, 312, 314-16, and 326 (including those noted above under III, *a-d*, and III, *f-h*) are subject to revision by the council of the League of Nations at any time after 16 July, 1923. Failing such revision, no Allied or Associated Power can thereafter (unless this three-year period is prolonged by said council) claim the benefit of any of those stipulations for any portion of its territories in which reciprocity is not accorded in respect thereof. In transferred territories of the former Austro-Hungarian Monarchy, the benefit of those stipulations can be claimed only on condition of reciprocity being given to Austria. (Art. 330.)

V. National treatment is pledged by Austria to nationals of the Allied and Associated Powers (subject to limitations noted below under VI) in respect to:

(a) **TAXATION.**—All charges, taxes or imposts, direct or indirect, imposed on nationals of the Allied and Associated Powers, their property, rights or interests, including companies and associations in which they are interested. (Art. 228.)

(b) **RESTRICTIONS.**—Any restriction which was not applicable to nationals of the Allied and Associated Powers on 1 July, 1914. (Art. 228.)

(c) **PROPERTY RIGHTS.**—Any measures in derogation of property rights affecting the property rights or interests restored to nationals of Allied and Associated Powers under Article 249 of this treaty, including companies and associations in which they are interested. (Art. 250.)

(d) **AIRCRAFT.**—All privileges of aircraft of Allied and Associated Powers, when passing over or landing in Austrian territory, particularly in case of distress. (Art. 276.) Also any regulations which Austria may make with reference to rights of passage, transit and landing, as applied to aircraft of said Powers flying over Austrian territory. (Arts. 277 and 279.)

(e) **AERODROMES.**—Use of aerodromes in Austria by aircraft of the Allied and Associated Powers; with special reference to charges of every description, including charges for landing and accommodation. (Art. 278.)

(f) **CERTIFICATES AND LICENSES.**—Validity of certificates of nationality, airworthiness or competency, and licenses issued or recognized as valid by any of the Allied and Associated Powers. (Art. 280.)

(g) **RAILWAYS.**—Treatment of rolling stock of Allied and Associated Powers on Austrian railway lines, as regards movement, upkeep, and repairs. (Art. 317.)

VI. Time limits.—Provisions of Articles 276 to 282 (including those noted above under I *e* and V *d-f*) shall remain in force until 1 Jan., 1923, unless before that date Austria is admitted into the League of Nations, or authorized by the Allied and Associated Powers to adhere to the convention concluded between said powers relative to aerial navigation. (Art. 283.)

VII. Other provisions.

(a) **UNFAIR COMPETITION.**—Austria undertakes to adopt all necessary legislative and administrative measures to protect products of any Allied and Associated Power from all forms of unfair competition in commercial transactions; and undertakes to prohibit and repress by seizure and other appropriate remedies the importation, exportation, manufacture, distribution, or sale in its territory of all goods bearing marks or descriptions calculated to convey a false indication of origin, type, nature, or special characteristics of such goods. (Art. 226.)

(b) REGIONAL APPELLATIONS.—Austria undertakes (on condition of reciprocity) to respect laws and decisions of Allied and Associated States duly communicated to her by proper authorities, defining or regulating the right to regional appellations for wine or spirits produced in the State to which the region belongs; and to prohibit and repress by seizure and other appropriate remedies the importation, exportation, manufacture, distribution or sale of articles bearing regional appellations inconsistent with such law or order. (Art. 227.)

(c) GOVERNMENT TRADING.—If the Austrian government engages in international trade, it shall not in respect thereof have any rights, privileges, or immunities of sovereignty. (Art. 233.)

(d) AERIAL NAVIGATION.—Austrian aircraft flying over her territory must comply with the rules for air traffic in the neighborhood of aerodromes, as laid down in the convention concluded between the Allied and Associated Powers; with special reference to lights, signals, and rules of the air. (Art. 282.)

(e) TRANSMIGRATION.—Austria undertakes not to exercise any control over transmigration traffic through her territories beyond measures necessary to ensure that passengers are bona fide in transit; nor to allow any shipping company or other private corporation or person interested in the traffic to take part in or exercise influence over any administrative service that may be necessary for this purpose. (Art. 285.)

(f) TREATIES.—Enumeration of multilateral treaties conventions, and agreements to be applied after 16 July, 1920, and subject to provisions of this treaty, as between Austria and those of the Allied and Associated Powers party thereto (Arts. 234–8); and of specified conventions to which Austria undertakes to adhere (Arts. 239–40).

(g) Each of the Allied and Associated Powers must, before 16 Jan., 1921, notify to Austria the bilateral agreements of all kinds which such power wishes to revive with Austria; all not thus notified are and remain abrogated. This applies even to those of the Allied and Associated Powers who were not in a state of war with Austria. (Art. 241.)

(h) Austria undertakes to adhere to any general convention regarding international régime of transit, waterways, ports, or railways which may be concluded by the Allied and Associated Powers, with approval of the League of Nations, before 16 July, 1925. (Art. 331.)

(i) PECUNIARY CLAIMS.—Austria undertakes not to put forward directly or indirectly against any power signatory of this treaty any pecuniary claim based on events which occurred at any time before 16 July, 1920; all claims of this nature are extinguished after that date, whoever may be the parties in interest. (Art. 377.)

Other extensive and detailed provisions relate to:

(j) Political clauses for Europe (Arts. 36-94); with special reference to Italy (Arts. 36-45); Serb-Croat-Slovene State (Arts. 46-52); Czechoslovakia (Arts. 53-8); Roumania (Arts. 59-61); and to Belgium, Luxemburg, Schleswig, Turkey, Bulgaria, and Russia (Arts. 83-7).

(k) Austrian interests outside Europe (Arts. 95-117); with special reference to Morocco (Arts. 96-101); Egypt (Arts. 102-9); Siam (Arts. 110-12); and China (Arts. 113-17).

(l) Military, naval, and air clauses. (Arts. 118-59.)

(m) Prisoners of war and graves. (Arts. 160-72.)

(n) Penalties. (Arts. 173-6.)

(o) Reparation. (Arts. 177-96.)

(p) Financial clauses. (Arts. 197-216.)

(q) Debts. (Art. 248 and Annex.)

(r) Property, rights, and interests. (Arts. 249-50 and Annex.)

(s) Contracts, prescriptions, judgments. (Arts. 251-5 and Annex.)

(t) Mixed arbitral tribunal. (Arts. 256-7 and Annex.)

(u) Industrial property. (Arts. 258-62.)

(v) Special provisions relating to transferred territory. (Arts. 263-75.)

(w) Ports, waterways, and railways. (Arts. 294-310, 318-29.)

(x) Labor.¹⁸ (Arts. 332-72.)

(y) Miscellaneous provisions. (Arts. 373-81.)

(z) The covenant of the League of Nations¹⁹ is prefixed to the treaty. (Arts. 1-26.)

Treaty with Bulgaria.**No. 64.***Exchange of notes between Austria and Bulgaria concerning most-favored-nation treatment.*

SIGNED 16 Nov., 1920, at Vienna. Effective from 16 Nov., 1920, until 9 Aug., 1921.

TEXT: German and French, Bundesgbl. No. 155.

Most-favored-nation treatment is reciprocally assured to the merchandise and natural or manufactured products of either country on their importation into the other.

¹⁸ See No. 507.

¹⁹ See No. 506.

Treaty with Germany.**No. 65.***Provisional economic agreement between Austria and Germany.*

SIGNED 1 Sept., 1920, at Munich. Effective from 12 Feb., 1921, until terminated by four months' notice from either party (Art. 35); except that the import duties noted below under III *c* are terminable on one month's notice (Art. 3).

TEXT: German, Bundesgbl., No. 135.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below under IV *a-b*) in matters concerning economic relations between the two countries, with special reference to:

(a) Import and export duties; customs formalities; consumption duties and similar internal taxes; and any prohibitions or regulations which either country may impose respecting importation, exportation, or transit. (Arts. II *a* and 34, 2.)

(b) Acquisition, possession, and disposal of movable and immovable property; right of nationals, companies, and corporations of either country to exercise commerce, trade, industry, and agriculture in the other; and payment of imposts, taxes, or other charges relating to any of these. (Ibid., *b*.)

(c) Treatment of merchants, manufacturers, and commercial travelers of either country making purchases or booking orders in the other under conditions stated; with special reference to trade dues payable by commercial travelers and treatment of samples in their possession. (Ibid., *c*.)

(d) Admission and treatment of vessels, their crews and cargoes, and payment of navigation dues. (Ibid., *d*.)

(e) Transportation of persons by carriers on land or waterways. (Ibid., 2.)

(f) Any facilities accorded by either country with reference to customs clearance of objects transported on railways, on condition of reciprocity. (Art. 23, 4.)

(g) Right which stock companies and other commercial, industrial, or financial associations (including insurance companies) of either country are permitted to exercise in the other. (Art. 24, 4.)

(h) Appointment of consular officers, and (on condition of reciprocity) of prerogatives, powers, and immunities accorded to consular officers in either country. (Art. 25, 1-2.)

II. National treatment is reciprocally pledged in regard to:

(a) Internal duties levied in either country on production or consumption. These must not under any pretext bear more heavily on imported products of the other country than on similar articles of domestic production. (Art. 10.)

(b) Admission by either country of seagoing merchant vessels of the other and their cargoes under the same conditions and duties as national ships; including the coasting trade; with special reference to payment of port, tonnage, clearance, lighthouse, pilotage, towage, quarantine, and other dues affecting the hull of the ship. (Art. 12, 1-2.)

(c) Treatment of vessels of either country wrecked or stranded on coasts of the other; with special reference to favors or immunities granted by laws of either country to its own vessels, and assistance to be given to crews, vessels, and cargoes. (Art. 14, 1-2.)

(d) Right of citizens and vessels of either country to navigate all natural and artificial waterways in the other, and all conditions and taxes relating thereto; with special reference to towage. (Art. 15.)

(e) Treatment of citizens of either country making use in the other of specified equipments and services established for public use; such as roads, canals, locks, bridges, weighbridges, ports, landings, signals, cranes, pilotage, warehouses, and facilities for salvaging vessels or cargoes, whether such services are administered by the State or by private parties; with special reference to conditions or taxes relating thereto. No tax to be collected unless the equipment or service was actually used; subject to exceptions regarding maritime lighting and pilotage, and arrangements for loading and discharging cargo at seaports. (Art. 16, 1-3.)

(f) Use of railways of either country by residents of the other and their merchandise with special reference to cost, speed, and manner of transport, and to public imposts relating thereto. (Arts. 17, 1-2, and 19.)

(g) Exercise of commerce and industry in either country (including attendance at markets or fairs), and payment of taxes relating thereto; except druggists, brokers, peddlers, and other itinerant trades. (Art. 24, 1-3.)

(h) Assistance and protection to be given by consuls of either country to citizens of the other in third countries where either has no consular representation, and payment of dues or charges relating thereto. (Art. 26.)

III. Other provisions.

(a) Neither country to obstruct commerce with the other by prohibitions against importation, exportation, or transit; except for the following reasons applying to all countries under similar conditions:

(1) Considerations of public safety.

(2) Measures of sanitary police, or to protect animals and useful plants from disease, insects, or noxious parasites.

(3) Provisions of war in exceptional circumstances.

(4) Application to foreign merchandise of prohibitions or restrictions imposed by internal laws on production, sale, distribution, or consumption of similar articles of national production.

(5) Products which are government monopolies in either country. (Art. I.)

(b) Extensive and detailed provisions concerning transit of specified products through either country. (Art. I, 4-8.)

(c) Duties payable in the customs territory of either country on importation of products of the other listed in tariffs A and B annexed to the treaty of 25 Jan., 1905,^{19a} shall not be higher than the duties specified in these tariffs, which are terminable by either party on one month's notice. (Art. 3.)

(d) Merchandise passing through either country to or from the other is exempt from all transit duties, whether passing direct, or unloaded, stored, and reloaded. (Art. 4.)

(e) Specified merchandise passing from or to either country to or from markets and fairs in the other, including cattle returning unsold, are reciprocally exempt from import and export duties; also commercial travelers' samples, subject to customs regulations relating thereto. (Art. 5.)

(f) Extensive and detailed provisions concerning treatment by either country of merchants, manufacturers, and commercial travelers from the other. (Art. 6.)

(g) Elaborate and detailed provisions designed to facilitate traffic between frontier districts, by exempting specified articles from import and export duties, under conditions described in detail. (Arts. 7-9.)

(h) Both countries agree to cooperate for prevention and punishment of smuggling. (Art. 11.)

(i) Nationality and tonnage of vessels to be recognized in accordance with laws of the country to which vessels belong. (Art. 12.)

(j) Ships of either country are exempt from tonnage and clearance dues in the other, under conditions stated. (Art. 12.)

(k) Vessels of either country seeking refuge in ports of the other from damage or shipwreck are exempt from port dues, so long as they do not engage in commerce or remain longer than necessary. Salvaged merchandise is exempt from customs duties unless entered for consumption. (Art. 13.)

(l) Extensive and detailed provisions concerning railway traffic to or from either country, with special reference to direct passenger and freight tariffs, through time-tables for passengers and goods, and facilitation of customs formalities for merchandise passing in closed wagons from either country to certain destinations in the other. (Arts. 17-23.)

^{19a} German, Hdv. 1906: 568.

(*m*) Stock companies and other commercial, industrial, or financial associations (including insurance companies) of either country may carry on their business in the other, subject to the laws and regulations in force. (Art. 24.)

(*n*) Detailed provisions concerning transportation of persons and goods between the two countries. No trade tax to be imposed by either country on subjects of the other engaged in navigation by sea or river from one country to the other, or in forwarding goods and persons by wagon roads. (Art. 24.)

(*o*) Right of either country to send designated officials to specified customs offices of the other for information concerning customs administration and the guarding of frontiers. Each country will furnish the other any desirable information concerning the accounting and statistical work in its customs territory. (Art. 27.)

(*p*) Arbitration of disputes concerning interpretation or application of tariffs A and B (noted above under III *c*), or concerning application of the most-favored-nation clause by the customs administration of either country. Procedure described in detail. (Art. 29.)

(*q*) Both parties agree to a joint investigation of the treatment of laborers of either country in the other as regards their protection and insurance, with a view to equalizing these advantages in both countries so far as possible. (Art. 30.)

(*r*) Both parties undertake to conclude an agreement to obviate double taxation, and to secure mutual legal aid in matters concerning taxation. (Art. 31.)

(*s*) Renewal of specified earlier Agreements between Austria-Hungary and the German Empire. (Art. 32.)

(*t*) Extensive and detailed stipulations concerning import and export prohibitions or restrictions which either country may impose, irrespective of stipulations of Article 1 (noted above under III *a-b*), during continuance of the exceptional conditions occasioned by the economic results of the war. (Art. 34.)

IV. Exceptions.—The most-favored-nation stipulations of this agreement do not apply to:

(*a*) Favors which either country may accord to a neighboring State to facilitate traffic between certain frontier zones. (Art. 2, 2 *a*.)

(*b*) Favors which either country may concede in consequence of a customs union. (Ibid., 2 *b*.)

V. Territorial application.—This agreement applies to all territories united with either country in a customs union. (Art. 28.)

Treaties with the United States of America.

Treaties of Austria with the United States have been previously dealt with in this volume under America, United States of, No. 3.

AUSTRIA-HUNGARY.²⁰

Treaty with Belgium.

No. 66.

Treaty of commerce and navigation between Austria-Hungary and Belgium.

SIGNED 12 Feb., 1906, at Vienna. Effective from 1 Mar., 1906, until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. XIX.)

TEXT: French, B. F. S. P. 99: 541-50; French and German, Neumann 28: 329-68; Martens 85: 130-48.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged (subject to exceptions noted below) with regard to:

(a) Application of special laws and regulations concerning commerce, industry, or police in either country to citizens of the other. (Art. I.)

(b) Treatment by either country of products of the other, whether imported for consumption, warehousing, reexportation, or transit; with special reference to imposition of duties, and any favors, immunities, or reductions of import duties which either country may accord to any third power (Art. III), except as noted below under IV.

(c) Any duties imposed by either country on exports to the other, and any favors relating to exportation. (Art. VI.)

(d) Treatment by either country of merchants, manufacturers, and commercial travelers from the other. (Art. XI.)

(e) All rights accorded by either country to stock companies and other commercial, industrial, or financial associations (including insurance companies); with special reference to actions in courts of justice. (Art. XII.)

(f) All privileges, exemptions, or immunities which either country may accord to consular officers. (Art. XV.)

II. National treatment is reciprocally pledged in general terms by either country to citizens of the other respecting all privileges, immunities, and other favors of any kind concerning matters of commerce and industry in any part of either country, and all duties, taxes, imposts, or fees relating thereto; except pharmacists, brokers, peddlers, and other exclusively itinerant trades or professions

²⁰ Treaties of the former Austro-Hungarian Empire with the Allied and Associated Powers have been included in this volume to show the character and extent of Austria-Hungary's commercial treaty relations before the World War. See also p. 176, note 16.

(Final protocol, Art. I), and subject to special laws and regulations applying to all foreigners in matters of commerce and industry or police. (Art. I.)

National treatment is further reciprocally pledged in regard to:

(a) Military contributions or requisitions in either country; and application of the laws concerning indemnities. (Art. II.)

(b) Internal duties on production or consumption, whether levied in either country by the State, or by Provinces, municipalities or corporations. Such duties must not under any pretext bear more heavily on imported products of the other country than on similar articles of domestic production. Belgian excise duties on wine are excepted, so long as that product is admitted into Belgium free of import duties. (Art. X.)

(c) Treatment by either country of ships of the other and their cargoes; but coasting trade and national fisheries are excepted. (Art. XIII.)

III. Other provisions.

(a) Citizens of either country are exempt in the other from all military service by land or sea. (Art. II.)

(b) Products of either country enumerated in tariffs A and B annexed to this treaty shall pay no other or higher duties on importation into the other by land or sea than those specified in these tariffs. Certificates of origin to be required only in important cases involving commercial policy. (Art. IV and final protocol.)

(c) As certain articles pay higher duties in Austria when imported by land than by sea, Austria agrees not to increase the existing preference in favor of importation by sea, nor to establish such a preference for any additional articles without Belgium's consent. Belgium gives no preference to importation by sea, and agrees not to establish such preference in future. (Art. V.)

(d) Merchandise passing to or from either country is exempt in the other from all transit duties; except special regulations concerning gunpowder and arms of war. (Art. VII.)

(e) Both countries agree not to obstruct their commercial relations by prohibitions regarding importation, exportation, or transit, except in the following cases:

(1) State monopolies of either country. (Art. VIII a.)

(2) Considerations of public safety, and sanitary measures for protection of public health, or to prevent propagation of insects and other organisms injurious to agriculture. (Art. VIII b.)

(3) Provisions of war in exceptional circumstances. (Art. VIII c.)

(f) Provisions concerning transit of arms, ammunitions, and explosives. (Art. IX.)

(g) Extensive provisions concerning commercial travelers, and duty-free admission of travelers' samples, subject to customs regulations relating thereto. (Art. XI.)

(h) Stock companies and other commercial, industrial, and financial associations (including insurance companies) duly constituted in either country are authorized to exercise their rights in the other, with special reference to actions in courts of justice. (Art. XII.)

(i) Cooperation of consuls with local authorities for recovery of seamen deserters. (Art. XVI.)

(j) Arbitration of disputes regarding interpretation or application of tariffs A and B, or of other provisions of this treaty, or concerning application of the most-favored-nation clause by the customs administration of either country. The court of arbitration to be constituted as described. (Art. XVIII.)

IV. Exceptions.

(a) The most-favored-nation treatment noted above under I b does not apply to:

(1) Favors which either country may accord to bordering States to facilitate frontier traffic, and reductions or exemptions from customs duties applying only to certain limited frontiers or to inhabitants of certain districts. (Art. III, 1.)

(2) Obligations which may be imposed on either country by engagements of a customs union. (Art. III, 2.)

(b) The national treatment provisions noted above under II c do not apply to the coasting trade or the national fisheries of either country. (Art. XIII.)

V. Territorial application.—This treaty extends to all countries belonging to the customs territory of either party. (Art. XVII.)

Treaty with China.

No. 67.

Treaty of friendship, commerce, and navigation between Austria-Hungary and China.

SIGNED 2 Sept., 1869, at Peking. No time limit stated. Annexed tariff and provisions relating to commerce are subject to revision every 10 years on six months' notice from either party. (Art. XLIV.)

TEXT: French (transl.), Hertslet's China Tr. 1: 215-23; B. F. S. P. 61: 159-71; German, Neumann 12: 383-412.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all privileges, liberties, and advantages which either country may accord to the Government or subjects of any other nation; with special reference to changes in customs tariffs, import and export duties, and shipping dues. (Art. XLI.)

Most-favored-nation treatment is further pledged by China in regard to:

(a) All rights and privileges accorded to consular agents. (Art. VI.)

(b) Right of Austrian subjects to exercise commerce in the interior of China, but without establishing stores of merchandise. (Art. VIII.)

(c) Right of Austrian merchant vessels to visit the ports and cities open to foreign commerce in China, and to navigate freely with their cargoes from one open port to another. (Art. X.)

(d) Import and export duties payable in China by Austrian merchants. (Art. XX.)

II. Other provisions.

(a) Complete protection assured by either country for persons and properties of subjects of the other. (Art. I.)

(b) Diplomatic agents of either country to enjoy at the place of their residence in the other all privileges and liberties assured to them by the law of nations. (Arts. III, IV.)

(c) Right of Austrian subjects to travel, reside, and exercise commerce or industry in ports, cities, and places named (Art. VIII); to lease houses or warehouses for storage of merchandise; and to lease lands and build houses, shops, churches, hospitals, schools, etc. (Art. IX.)

(d) Right of Austrians to employ Chinese subjects as agents, interpreters, clerks, workers, etc. (Art. XII.)

(e) Consular cooperation with local authorities in jurisdiction of disputes between Chinese and Austrian subjects in China. (Art. XXXVIII.)

(f) Crimes committed by subjects of either country against subjects of the other to be punished by authorities of defendant's nation. (Art. XXXIX.)

(g) Jurisdiction of disputes concerning rights of persons or property arising between Austrian subjects in China is vested in Austrian authorities exclusively. Disputes between Austrians and other foreigners in China to be judged by their respective authorities, without intervention of the Chinese Government. (Art. XL.)

(h) Fraudulent debtors of either nationality to be brought to justice by their respective authorities. (Art. XLII.)

(i) Extensive and detailed provisions relating to smuggling (Art. X); passports (Art. XI); inviolability of Austrian property and vessels in China (Art. XIII); pilotage (Art. XIV); customhouse guards (Art. XV); ship's papers, bills of lading, etc. (Art. XVI); permits for loading, discharging or transshipment of cargo (Arts. XVII, XVIII); hiring of boats for transporting passengers and merchandise (Art. XIX); valuation of goods for customs purposes (Arts. XXI-XXIII); tonnage dues (Arts. XXIV-XXVII); transit

dues (Art. XXVIII); exemption of undischarged cargo from payment of duties (Art. XXIX); coasting trade dues (Art. XXX); reexportation of duty-paid goods, and drawbacks relating thereto (Art. XXXI); Chinese standards of weights and measures (Art. XXXII); right of Austrian warships to visit Chinese ports (Art. XXXIV); assistance to Austrian vessels seeking refuge from damage or shipwreck in Chinese waters (Art. XXXV); arrest and recovery of seamen deserters and of fugitives from justice (Art. XXXVI); and suppression of piracy in Chinese waters (Art. XXXVII).

Treaty with Denmark.

No. 68.

Convention of commerce and navigation between Austria-Hungary and Denmark.

SIGNED 14 Mar., 1887, at Copenhagen. Terminable on 12 months' notice by either party. (Art. VI.)

TEXT: French, Neumann 18: 606-9; B. F. S. P. 78: 937-9.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) regarding importation, exportation, and transit; also in all matters concerning commercial operations, navigation, exercise of commerce and industry, and payment of taxes relating thereto. (Art. II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Any reductions, favors, privileges, liberties, and immunities or exceptions of whatever kind relating to import duties payable in either country. (Art. II.)

(b) All rights, immunities, and privileges accorded by either country to consular officers. (Art. V.)

II. National treatment is reciprocally pledged in all matters concerning ships and their cargoes in either country; including Iceland and the Faroe Islands (Art. I), but excepting the Danish Antilles and Greenland (Art. IV).

III. Exceptions.—Most-favored-nation provisions do not apply to:

(a) The coasting trade and national fisheries of either country. (Art. II.)

(b) Favors which either country may accord to bordering States or districts to facilitate frontier traffic. (Art. III, 1.)

(c) Obligations which may be imposed on either country in virtue of a customs union. (Art. III, 2.)

IV. Application to colonies.

(a) National treatment is pledged to Austria in all matters concerning ships and their cargoes in Iceland and the Faroe Islands. (Art. I.)

(b) Provisions concerning national and most-favored-nation treatment do not apply to the Danish Antilles and Greenland. (Art. IV.)

(c) Navigation and commerce in Greenland are reserved for the State. (Art. IV.)

Treaty with Egypt.

No. 69.

Commercial convention between Austria-Hungary and Egypt.

SIGNED 16 Aug., 1890, at Cairo. Effective from 1 Jan., 1891, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XVI.)

TEXT: French and German, Neumann 19:445-65; French, B. F. S. P. 82: 1109-18.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting all privileges, favors, or immunities which either party may accord in matters concerning commerce, navigation, transit, and payment of import or export duties. (Art. IV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All duties imposed by either country on importation of products of the other, from whatever place arriving. (Art. II.)

(b) Any prohibitions imposed by either country against importation of products of the other, from whatever place arriving; except sanitary measures to protect persons or cattle, or plants useful to agriculture; and except as noted below under V. (Art. II.)

(c) Any duties, charges, or prohibitions imposed by either country on exportation of any articles to the other. (Art. III.)

(d) Any facilities concerning customs regulations which Egypt may accord to the subjects, ships, navigation, and commerce of any other foreign power. (Art. XII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in respect to:

(a) Any duties or restrictions imposed on articles of whatever origin imported from any source into either country, or exported therefrom in ships of the other. (Art. V.)

(b) Application to Austrian subjects of regulations and tariff duties on articles not included in the extensive list of Austrian products subject to a maximum duty of 10 per cent ad valorem on their importation into Egypt. (Art. VI.)

(c) Internal duties (octroi, excise, etc.) levied in either country on any of its products. Such internal taxes must not bear more heavily on imported products of the other country than on similar articles of national or other foreign production; it being understood that specified consumption duties may be levied by municipalities or communes on imported articles not produced locally. (Art. IX.)

(*d*) Application to Austrian subjects and vessels of Egyptian regulations concerning specified matters relating to public utilities, suppression of fraud, and public health or security. (Art. XII.)

III. National treatment is reciprocally pledged in general terms respecting all rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce and navigation; and payment of taxes or duties relating thereto. (Art. I.)

National treatment is further reciprocally pledged in regard to:

(*a*) Right of citizens of either country to enter with their ships and cargoes all ports and places open to nationals in the other. (Art. I.)

(*b*) Treatment by either country of ships of the other, in all respects, from whatever place arriving and whatever the origin or destination of the cargoes; with special reference to local regulations, pilotage, and taxes or other charges levied in ports, basins, docks, roadsteads, and harbors of either country, and in general all that concerns navigation (Art. V); except the coasting trade and interior navigation, as noted below under *V d*.

IV. Other provisions.

(*a*) Nationality of vessels to be recognized according to laws of each country. (Art. V.)

(*b*) Import duties payable in Egypt on numerous specified products of Austria-Hungary not to exceed 10 per cent ad valorem. (Art. VI.)

(*c*) Export duties levied in Egypt not to exceed 1 per cent ad valorem. (Art. VIII.)

(*d*) Merchandise destined for transshipment or bonding to be exempt from all import or export duties in Egypt, except when destined for use by the vessel in which transshipped, in which case the export duty of 1 per cent ad valorem applies. (Art. VIII.)

(*e*) Duty-free admission by Egypt of Austrian commercial travelers' samples or models, subject to customs regulations relating thereto. (Art. X.)

(*f*) Personal effects of Austrian consuls (as defined) are exempt in Egypt from customs examination and payment of duties. (Art. XI.)

(*g*) Detailed provision concerning rights and limitations of Egyptian authorities with regard to search of houses of Belgian subjects, and search or seizure of Austrian vessels in Egyptian waters. (Art. XII.)

V. Exceptions.

(*a*) The following articles are excluded from stipulations of this Convention: Tobacco, tombac, salt, saltpeter, natron, hashish, arms, munitions, and explosive materials. (Art. II and annex.)

(*b*) The stipulations of Articles I to XII do not apply to:

(1) Special arrangements between Egypt and other parts of the Ottoman Empire under direct administration of the Porte, or between Egypt and Persia.

(2) Arrangements between Egypt and the Sudan respecting exchange of merchandise native or foreign. (Art. XIII.)

(c) The provisions of Article IV (noted above under I) do not apply to:

(1) Favors which either country may accord to bordering States to facilitate frontier relations, and reductions or exemptions from customs duties applying only to specified frontiers or inhabitants of certain districts. (Art. IV, 1.)

(2) Obligations imposed on either country by engagements of a customs union. (Art. IV, 2.)

(d) The provisions of Article V (noted above under II *a* and III *b*) do not apply to the coasting trade and interior navigation of either country, which are reserved for regulation by their respective laws. (Art. V.)

Treaty with Ethiopia (Abyssinia).

No. 70.

Treaty of friendship and commerce between Austria-Hungary and Ethiopia (Abyssinia).

SIGNED 21 Mar., 1905, at Addis Abbaba. Ratifications exchanged 24 May, 1909, at Vienna. Terminable on one year's notice by either party. (Art. IV.)

TEXT: German, Neumann 32: 164-8; English (transl.), B. F. S. P. 100: 609-10.

I. Most-favored-nation treatment is reciprocally pledged with regard to appointment of consular officers, and all rights, privileges, and immunities concerning their persons and official business in either country. (Art. III.)

Most-favored-nation treatment is further pledged by Ethiopia with regard to:

(a) Transport of goods coming from Austria-Hungary by all routes open to the commerce of any nation. (Art. I.)

(b) Privileges, immunities, or other favors to be enjoyed by subjects of Austria-Hungary in Ethiopia. (Art. II.)

II. Other provisions.—Subjects of either country to have full liberty to come and go, and to engage in commerce in territories of the other. (Art. I.)

Treaties with France.

No. 71.

Commercial convention between Austria-Hungary and France.

SIGNED 18 Feb. 1884, at Paris. Terminable on six months' notice by either party. (Art. 5.)

TEXT: French, France Tr. I: 312-14; Clercq 14: 289-93; Neumann 12: 54-8; B. F. S. P. 75: 105-6.

I. Most-favored-nation treatment is reciprocally pledged regarding importation, exportation, and transit, and generally in all mat-

ters concerning commercial operations, exercise of commerce and industries, and payment of taxes relating thereto. (Art. 1.)

II. National treatment is reciprocally pledged respecting all rights concerning protection of trade-marks and industrial designs or models. (Art. 2.)

III. Other provisions.

(a) Import duties levied in Austria on French sparkling wines is reduced from 50 florins per hundred kilograms to 40 florins. (Art. 3.)

(b) Each country undertakes to admit live stock, meats, hides, and other untreated animal products from the other. But animals threatened with disease may be temporarily excluded by either country on sanitary grounds. (Art. 4.)

(c) Confirmation and continuance of specified conventions of 11 Dec. 1866,²¹ until conclusion of new arrangements on the same matters, subject to termination on 12 months' notice from either party. (Addl. article.)

No. 72.

Treaty of navigation between Austria-Hungary and France.

SIGNED 9 Apr., 1884. Terminable by either party on one year's notice. (Art. 12.)

TEXT: French. France Tr. I: 314-17; B. F. S. P. 75: 351-4; French and German, Martens 61: 605-11.

I. Most-favored-nation treatment (subject to exceptions noted below) is pledged by this treaty as follows:

(a) Every privilege, favor, or immunity concerning navigation, which either party may accord to citizens of any third power shall immediately be extended to citizens of the other. (Art. 11.)

(b) Vessels of Austria and Hungary in French colonies and possessions, from whatever place arriving and whether laden or in ballast, shall be treated like ships of the most-favored-European nation, in all respects. (Art. 6.)

II. National treatment is reciprocally pledged (subject to exceptions noted below) in regard to:

(a) Treatment of vessels of either country and their cargoes in ports of the other (including Algeria), in all respects, from whatever place arriving and whatever the place of origin or destination of their cargoes. (Art. 1.)

(b) All tonnage and other port dues imposed by either country on ships of the other and their cargoes, whether levied by the State or by cities or corporations. (Art. 2.)

(c) All privileges, favors, or advantages concerning local treatment of vessels and their import or export cargoes, including all

²¹ French, B. F. S. P. 56: 257-60; 266-72; 53: 1340-4.

taxes or charges levied in ports, docks, roadsteads, harbors, and rivers, of either country, with special reference to stationing, loading, and unloading of vessels, and any formalities or dispositions affecting merchant vessels and their crews or cargoes. (Art. 2.)

(d) All customs and other duties payable on merchandise of any kind imported into either country (including Algeria) on ships of the other, from whatever place arriving. (Art. 4.)

(e) Any duties or charges payable in ports of either country by ships of the other on cargo not discharged at that port, or for taking on cargo at different ports. (Art. 5.)

(f) All export duties or formalities, and all drawbacks or other favors connected with exportation of any merchandise from either country (including Algeria) in ships of the other, for any destination. (Art. 7.)

(g) Right of vessels of either country to navigate all natural or artificial waterways of the other, on the same conditions and on paying the same taxes affecting vessels and cargoes as national vessels. (Art. 9.)

III. Other provisions.

(a) Nationality of vessels to be recognized in accordance with certificates issued by competent authorities under laws and regulations of each country. (Art. 3.)

(b) Mail boats charged with a postal service of either country shall not be subject in the other to embargo or seizure, nor to be turned from their destination. (Art. 10.)

IV. Exceptions.—Stipulations of this treaty do not apply to:

(a) The coasting trade, which is reserved for regulation by the laws of each country. (Art. 8.)

(b) The fishing industry, and any advantages which either country may accord to the products thereof. (Art. 8.)

Treaty with Great Britain.

No. 73.

Treaty of commerce between Austria-Hungary and Great Britain.

SIGNED 5 Dec., 1876, at Budapest. Prolonged indefinitely by declaration of 26 Nov., 1877, subject to termination on one year's notice by either party. (Hdb. 1912: 18.)

TEXT: English, Hdb. 1912: 14-18; German, English, and Magyar, B. F. S. P. 67: 31-7.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms respecting any favor which either country may grant to the subjects and commerce of any third power; with special reference to reductions of import and export duties. (Art. III.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Rights of residence and exercise of commerce and trade in either country, and any imposts relating thereto. (Art. I.)

(b) Treatment in either country of products of the other, and of merchandise coming from the other, whether imported for consumption, warehousing, reexportation, or transit; with special reference to payment of duties. (Art. II.)

(c) Any duties levied in either country on goods exported to the other. (Art. III.)

(d) Transit of goods to or from either country through territory of the other. (Art. III.)

(e) Prohibitions established by either country against the other regarding importation, exportation, or transit. (Art. V.)

II. National treatment is reciprocally pledged regarding protection of trade, industrial, and other distinctive marks on goods or their packages, and of patterns or designs for manufactures. (Art. VI.)

III. Exceptions.—Most-favored-nation stipulations of Articles I to III, noted above under I *a-d*, do not apply to:

(a) Special and ancient privileges accorded to Turkish subjects for Turkish trade in Austria-Hungary. (Art. IV, 1.)

(b) Advantages which Austria-Hungary may grant to neighboring countries solely to facilitate frontier traffic, and reductions or exemptions from customs duties valid in Austria-Hungary only for certain frontiers, or for inhabitants of certain districts. (Art. IV, 2.)

(c) Obligations imposed upon either country by the customs union between Austria-Hungary and the principality of Liechtenstein. (Art. IV, 3, and protocol.)

IV. Application to British colonies.—The most-favored-nation stipulations noted under I *a-b* above apply in terms to British colonies and foreign possessions. (Arts. I-II.)

Treaty with Greece.

No. 74.

Provisional convention of commerce and navigation between Austria-Hungary and Greece.

SIGNED 11 Apr., 1887, at Athens. Terminable on one year's notice by either party. (Art. IV.)

TEXT: French, Neumann 18: 614-16; Greek and French, Greece Tr. 1912: 181-3; B. F. S. P. 78: 794-6.

I. Most-favored-nation treatment of the subjects, vessels, and merchandise of either country is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting all favors, privileges, immunities, advantages, and tariff reduc-

tions which either party may accord to any other country. (Arts. I-II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Import duties payable in either country on products of the other, whether destined for consumption, warehousing, reexportation, or transit. (Art. II.)

(b) Duties levied in either country on exports to the other. (Art. II.)

(c) All matters concerning transit through either country. (Art. II.)

II. Other provisions.

(a) Merchandise of all kinds passing to or from either country is exempt in the other from all transit duties. (Art. II.)

(b) Citizens of either country are exempt in the other from all military service, and from all extraordinary requisitions or contributions, except those imposed upon landed property. (Art. III.)

III. Exceptions.—Most-favored-nation treatment does not apply to:

(a) Favors which either country may accord to bordering States or districts to facilitate frontier traffic. (Art. II a.)

(b) Obligations which may be imposed on either country in virtue of a customs union. (Art. II b.)

(c) The fishing industry and coasting trade of both countries, which are reserved for regulation by their respective laws. (Art. I.)

Treaty with Italy.

No. 75.

Treaty of commerce and navigation between Austria-Hungary and Italy.

SIGNED 11 Feb., 1906, at Rome. Effective from 1 Mar., 1906, to 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. XXIX.)

TEXT: French and German, Neumann 27: 462-562; French, B. F. S. P. 99: 556-89; Italy Tr. 1911, I: 30-103.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged respecting any favor or immunity which either country may concede to any third power; with special reference to matters concerning transit, and the amount, guaranty, and collection of duties on importation and exportation (Art. VII); except as noted below under V b.

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Application of special laws and regulations concerning commerce, industry, or police in either country to citizens of the other. (Final protocol and Art I.)

(b) Exceptional prohibitions which either country may establish against the other regarding importation, exportation, or transit. (Art. VI and final protocol.)

(c) Treatment of products of either country on importation into the other. (Art. VIII and final protocol.)

(d) Any favors which either country may accord to any third power regarding treatment of ships and their cargoes; on condition of reciprocity. But the national fishing industry of either country is excepted. (Art. XIX.)

(e) All facilities which either country may accord to expedite customs clearance of merchandise imported by railways; on condition of reciprocity. (Art. XXVI.)

(f) Appointment of consuls, and (on condition of reciprocity) all prerogatives, facilities, and exemptions accorded to consular officers by either country. (Art. XXVII.)

(g) Assistance to be given by local authorities in either country to consular officer of the other for extradition of sailors and soldiers deserting from warships or merchant vessels. (Art. XXVII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged respecting transportation of merchandise over railways of either country to, from, or through territories of the other, with special reference to rates or charges; except only reduced rates granted for public or charitable objects. (Final protocol ad Art. XXV.)

III. National treatment is reciprocally pledged in general terms by either country to citizens of the other respecting all rights, privileges, exemptions, immunities, or favors in matters of commerce and industry, and all duties, imposts, taxes, or fees relating thereto (Art. I and final protocol), subject to special laws or regulations applying to all foreigners in matters of commerce, industry, or police (Final protocol ad Art. I).

National treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to enter and reside in all ports, cities, or places of the other. (Art. I.)

(b) Right of citizens of either country to attend fairs and markets in the other for the purpose of exercising their commerce and selling their products; and payment of taxes incidental thereto. (Art. III and final protocol.)

(c) Any obligations, restrictions, taxes, or imposts in either country on subjects of the other respecting persons or properties movable or immovable. (Art. IV.)

(d) Right of subjects of either country to manage their affairs in the other personally or by agents of their own selection; and to bargain freely in buying or selling and fix prices of any object of

commerce; subject to customs laws and State monopolies of the country. (Art. V.)

(e) All rights and privileges respecting administration of justice and access to courts in either country, in person or otherwise. (Art. V.)

(f) Internal duties levied in either country on production or consumption. These must not under any pretext bear more heavily on imported products of the other country than on similar articles of domestic production. (Art. XII.)

(g) Measures of control applied in either country to jewelry and other manufactures of precious metals imported from the other. (Art. XIII.)

(h) Treatment of vessels of either country in ports of the other, regarding duties or taxes of every description, whether levied by the State, communes, corporations, public officials, or establishments of any kind; with special reference to placing, loading, and unloading of ships in ports, roadsteads, bays, and basins of either country, and all formalities and arrangements whatever affecting vessels and their crews or cargoes. (Art. XVIII and final protocol.) But this equality of treatment does not apply to:

(1) Bounties which either country may concede to ships newly constructed, so far as they do not consist of exemptions or reductions of customs or port dues.

(2) Privileges accorded to yacht clubs. (Final protocol, ad Arts. XVIII and XIX.)

(i) Equal treatment of vessels. Any merchandise, whatever its origin, of which importation, exportation, transit, or warehousing is permitted by either country when carried in its own vessels, may likewise be imported, exported, and admitted for transit or warehousing when carried in ships of the other, subject to the same duties, taxes or restrictions, and entitled to the same privileges, rebates, bounties, and drawbacks, as when carried in national vessels. (Art. XX.)

(j) Treatment of vessels of either nation seeking refuge from damage or shipwreck on the coasts or in ports of the other, including costs of salvage and other charges or duties incidental thereto. (Art. XXI.)

(k) Right to navigate any natural or artificial water ways in either country, and all conditions relating thereto, with special reference to duties on vessels and cargoes (Art. XXII); but navigation of interior water ways is subject in either country to the laws in all matters concerning police, quarantine, and customs (Final protocol, ad. Art. XXII.)

(l) Right of subjects of either country to make use of specified equipment and services in the other established for public use, such

as the highways and other routes, canals, locks, bridges, ports, and other landing places, signals and lights indicating navigable waters, pilotage, public cranes, weigh-bridges, warehouses, and establishments for salvage and storage of cargoes, vessels, or other objects; with special reference to any conditions or taxes relating thereto. No tax to be paid unless the services have been actually used; except for lighthouses, signals, and pilotage, which are subject to special regulations. (Art. XXIV.)

(*m*) Use of railways of either country by residents of the other and their merchandise, with special reference to cost, speed, and manner of transport, and to public imposts relating thereto. (Art. XXV.)

IV. Other provisions.

(*a*) Merchants, manufacturers, and their commercial travelers from either country are exempt in the other from payment of trade dues or fees, under conditions stated. (Art. II and final protocol.)

(*b*) No trade dues of any kind to be imposed by either country on subjects of the other engaged in navigation by sea or river from one country to the other, or in forwarding goods and persons by wagon roads. (Art. III.)

(*c*) Teamsters and carriers of freight or passengers by land or water from either country are exempt from payment of trade dues in the other. (Art. III.)

(*d*) Citizens of either country are exempt in the other from all military service by land or sea, from obligatory judicial, administrative, or municipal functions, from quartering of troops, and all military contributions, loans, or requisitions; except those incumbent on possession of landed property. (Art. IV.)

(*e*) Neither country to prohibit importation, exportation, or transit of merchandise to or from the other, except in the following cases applying to all other countries under the same conditions:

(1) State monopolies in either country. (Art. VI, *a*.)

(2) Questions of public safety, and sanitary measures for protection of public health. (Art. VI *b* and final protocol.)

(3) Provisions of war in exceptional circumstances. (Art. VI *c*.)

(*f*) Products of either country enumerated in tariffs A and B annexed to the treaty to pay on importation into the other the duties specified in said tariffs. (Arts. VIII and XII and final protocol.)

(*g*) Each country agrees not to increase its export duties, except by previous agreement with the other. State monopolies and arms or munitions of war remain subject in either country to the laws and regulations in force. (Art. IX.)

(*h*) Merchandise of all kinds passing to or from either country is exempt from all transit dues, whether passing direct or unloaded, stored and reloaded. (Art. IX.)

(*i*) Temporary exemption of specified articles passing to or from either country from import and export duties, on condition of their being returned conformably to regulations affecting this special traffic. (Art. X and final protocol.)

(*j*) Provisions concerning simplification of customs clearance for merchandise requiring permits and passing direct from either country to the other. (Art. XI and final protocol.)

(*k*) Elaborate and extensive provisions concerning co-operation of both countries to prevent and punish smuggling of goods into or from territories of either country. (Art. XIV and customs cartel of 22 articles.)

(*l*) Arbitration of disputes regarding interpretation or application of tariffs A and B, or of other provisions of this treaty or concerning application of the most-favored-nation clause by the customs administration of either country. The court of arbitration to be constituted as described. (Art. XV and final protocol.)

(*m*) No landing or transshipment dues to be levied by either country, and carriers of merchandise shall not be detained or compelled to unload and reload; except when required by regulations to insure safe navigation, sanitation, and payment of duties. (Art. XVI.)

(*n*) Nationality and tonnage of vessels to be recognized in accordance with laws of the country to which vessel belongs. (Art. XIX.)

(*o*) Assistance to be given by either country to vessels of the other seeking refuge from damage or shipwreck and exemption from port dues, so long as they do not engage in commerce or remain longer than necessary. Salvaged merchandise is exempt from all duties (except salvage expenses), unless entered for consumption. (Art. XXI.)

(*p*) Detailed provisions concerning change of nationality of vessels (Art. XXIII); frontier tolls on wagon roads connecting the two countries (Art. XXIV); railway itineraries to be agreed on to expedite passage of persons and goods by connecting trains, except for unavoidable delays occasioned by customs, sanitary police, and passports (Art. XXV); and provisions to facilitate customs formalities for merchandise passing in closed wagons from either country to certain destinations in the other (Art. XXVI and final protocol).

(*q*) Elaborate and extensive provisions to facilitate traffic between frontier districts. (Addl. article.)

(*r*) Stock companies (including insurance companies) duly constituted in either country are authorized to exercise their rights in the other; with special reference to actions in courts of justice. (Final protocol ad Art. I, 3.)

(s) Extensive and detailed specifications relating to products of either country listed in tariffs A and B, and stipulations concerning the customs cartel, annexed to the treaty. (Final protocol, Parts II, III, and IV.)

V. Exceptions.

(a) The provisions of this treaty do not apply to the national fishing industry. (Art. XIX and final protocol.)

(b) Most-favored-nation provisions of Article VII (noted above under I) do not apply to:

(1) Favors which either country may accord to bordering States to facilitate frontier traffic, and reductions or exemptions from customs duties accorded only to certain limited frontiers, or to inhabitants of certain districts. (Art. VII a.)

(2) Obligations which may be imposed on either country by engagements of a customs union, with special reference to sugar. (Final protocol.)

VI. Territorial application.—This treaty extends to all countries belonging to the customs territory of either party. (Art. XXVIII.)

Treaty with Japan.

No. 76.

Treaty of commerce and navigation between Austria-Hungary and Japan.

SIGNED 28 Oct. 1912, at Vienna. Ratifications exchanged 16 June, 1913, at Tokyo. Effective from 1 July, 1913, until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. XXIII.)

TEXT: French, B. F. S. P. 106: 848-55; Japan Tr. 1918: 497-505.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting all privileges, favors, or immunities which either country may accord in matters concerning commerce, navigation, and industry. (Art. XXI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All matters concerning travel and residence, studies and investigations, exercise of trades and professions, and prosecution of industrial and manufacturing enterprises in either country, in all respects. (Art. I, 1.)

(b) Conditions and limitations concerning acquisition and possession of any movable or immovable property which laws of the country permit foreigners to acquire or possess, on condition of reciprocity. (Art. I, 4.)

(c) Appointment of consuls, and (on condition of reciprocity) all rights, privileges, exemptions, and immunities accorded to consular officers by either country. (Art. III.)

(*d*) Right of citizens of either country to enter with ships and cargoes all places, ports, and rivers open to foreign commerce in the other, subject to observing the laws of the country. (Art. V.)

(*e*) Any prohibitions or restrictions which either country may impose regarding importation or exportation of any article to or from the other, subject to exceptions noted below under V *c*. (Art. VI.)

(*f*) Treatment of merchants, manufacturers, or commercial travelers of either country soliciting orders in the other, with special reference to imposts and facilities relating thereto. (Art. X.)

(*g*) Rights to be accorded by either country to stock companies and other industrial, commercial, and financial associations of the other; with special reference to actions in courts of justice. (Art. XI.)

(*h*) All facilities, privileges, and immunities which either party may accord to vessels charged with a regular postal service, whether State-owned or subsidized by the Government for that service. (Art. XVI.)

(*i*) Any rights or privileges which either country may accord in respect to its coasting trade; on condition of reciprocity. (Art. XVII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(*a*) All charges, imposts, taxes, or contributions of any kind imposed by either country on subjects of the other. (Art. I, 5.)

(*b*) All duties for tonnage, transit, canal, port, pilotage, lighthouse, quarantine, and similar duties or charges of whatever kind, no matter by whom or how levied, in territorial waters of either country on ships of the other, from whatever place arriving and whatever their destination. (Art. XV.)

III. National treatment is reciprocally pledged in regard to:

(*a*) Right of citizens of either country to trade in territories of the other in all articles of lawful commerce. (Art. I, 2.)

(*b*) Liability of citizens of either country to military requisitions or contributions in the other. (Art. I, 5.)

(*c*) Exemption of dwellings, warehouses, factories, shops, or other premises appertaining thereto, from domiciliary visits or search, and of books, papers, or accounts from inspection or examination, except under conditions and with legal forms applying to citizens of the country. (Art. II.)

(*d*) Internal duties levied in either country on production or consumption (whether for the State, or for communes, or corporations). These must not under any pretext bear more heavily on imported products of the other country than on similar articles of domestic production. (Art. VII.)

(e) Importation and exportation. All articles which may legally be imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination, without paying other or higher duties or charges, and subject to the same bounties or drawbacks, as when carried in national vessels. (Art. XII.)

(f) All privileges or facilities regarding the stationing, loading, or unloading of vessels in territorial waters of either country. (Art. XIII.)

(g) Assistance, protection, and immunities accorded by either country to wrecked or damaged vessels, so far as duties of neutrality permit. (Art. XX.)

IV. Other provisions.

(a) Right of subjects of either country and their families to enter and reside in all parts of the other (Art. I); and (subject to the laws of the country) right to possess, rent, and occupy houses, warehouses, factories, shops, and other premises, and to lease land for residential, commercial, industrial, or other lawful uses (Art. I, 3).

(b) Access to courts of justice, and complete protection of persons and property in either country. (Art. I, 5.)

(c) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from all forced loans, and all contributions imposed in lieu of personal service. (Art. I, 5.)

(d) Administration by consuls of either country of property of their deceased nationals in the other. (Art. IV.)

(e) Certificates of origin for merchandise of either country imported into the other may be required only in exceptional circumstances named. (Art. VIII.)

(f) Nationality of vessels to be recognized according to laws of each country. (Art. XIV.)

(g) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage. But coasting trade is expressly excepted. (Art. XVII.)

(h) Consular jurisdiction of disputes arising on merchant vessels between officers and crews, with special reference to salaries and execution of contracts. (Art. XVIII.)

(i) Local authorities to assist consuls in recovery of seamen deserters. (Art. XIX.)

V. Exceptions.

(a) Stipulations of this treaty do not apply to the coasting trade, which is reserved for the ships of each country. (Art. XVII.)

(b) Most-favored-nation treatment does not apply to special favors which either country may accord:

(1) To products of its national fisheries, or to products of fisheries assimilated thereto as regards importation of their products. (Art. IX a.)

(2) To bordering States to facilitate frontier traffic. (Art. IX b.)

(3) To any country by disposition of a customs union. (Art. IX c.)

(c) Most-favored-nation stipulations noted under I e above do not apply to import or export prohibitions or restrictions relating to articles of State monopoly, public security and provisions of war in exceptional circumstances, or concerning sanitary measures for protection of animals and useful plants. (Art. VI.)

VI. Application to colonies, etc.—The provisions of this treaty are applicable to the territories and possessions belonging to or administered by either country. (Art. XXII.)

Treaty with Liberia.

No. 77.

Treaty of friendship, commerce, and navigation between Austria-Hungary and Liberia.

SIGNED 1 Sept., 1866, at Vienna. Effective from 25 Sept., 1866, for 10 years and thereafter terminable on 12 months' notice by either party. (Art. X.)

TEXT: German, Neumann 10: 471-6; English (transl), B. F. S. P. 63: 1152-5.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms regarding all rights, privileges, favors, or exemptions which either country may grant in matters of trade and navigation (Arts. II and VIII); except special favors accorded in Austria to certain bordering States to facilitate frontier traffic (Separate article).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens and ships of either country to enter all ports of the other open to foreign traffic, with full protection for persons and property, and freedom to buy and sell without restriction from monopolies or other privileges of sale or purchase. (Art. II.)

(b) Treatment by either country of merchandise imported from the other in any ship, or imported in ships of the other from any country, with special reference to charges relating thereto. (Art. IV.)

(c) Conditions of exportation of products of either country by subjects or in ships of the other. (Art. IV.)

(d) Protection and privileges accorded to consuls by either country as regards their persons and official duties. (Art. IX.)

II. National treatment is reciprocally pledged regarding import and other duties; also dues for tonnage, port, pilotage, etc., and any other duties or charges levied in either country on ships of the other and their import or export cargoes. (Art. III.)

III. Other provisions.

(a) Assistance to be given by either country to vessels of the other seeking refuge from damage or shipwreck. (Arts. V, VI.)

(b) Assistance by local authorities to consuls for recovery of seamen deserters. (Art. VII.)

Treaty with Montenegro.**No. 78.***Treaty of commerce and navigation between Austria-Hungary and Montenegro.*

SIGNED 6 Feb., 1911, at Cetinje. Ratifications exchanged there 4 Mar., 1912. Effective from 12 Mar., 1912, until 31 Dec., 1917, and thereafter terminable on 12 months' notice by either party. (Art. IV.)

TEXT: French and German, Neumann 32: 813-19; French, B. F. S. P. 104: 733-5.

I. Most-favored-nation treatment is reciprocally pledged in either country, including all territory comprised in the Austro-Hungarian customs union (Art. III) with regard to:

(a) Whatever relates to establishment of nationals of either country in the other.

(b) All matters of commerce and navigation, with special reference to importation, exportation, and transit.

(c) All that concerns customs duties and commercial operations in either country.

(d) Exercise of commerce and industry and payment of taxes relating thereto.

(e) Access to courts of justice in either country, and all dues, contributions, imposts, or taxes relating thereto. (Art. I.)

II. Other provisions.—To facilitate traffic between frontier districts, Austria agrees to permit (subject to her control) free importation of specified numbers of Montenegrin cattle, sheep, and goods each year, also specified quantity of meat, for exclusive consumption within the district of Cattaro; Montenegro agreeing to permit exportation thereof free of all export duties. (Art. II.)

Treaty with Morocco.**No. 79.***Treaty of peace and commerce between Austria and Morocco.*

SIGNED 19 Mar., 1830, at Gibraltar. Duration perpetual. (Art. XII.)

TEXT: Italian, Neumann 4: 312-16; English (transl.), B. F. S. P. 98: 980-3.

I. Most-favored (Christian) nation treatment is pledged by Morocco with regard to:

(a) Customs dues payable in Moroccan ports on merchandise imported from Austria in vessels of any nationality, or imported in Austrian vessels from any port. (Art. VIII.)

(b) Privileges of Austrian consuls in Moroccan ports. (Art. IX.)

II. Other provisions.

(a) Austrian vessels wrecked in a port or on the coast of Morocco may land and reload their cargoes without paying any customs duty. (Art. V.)

(b) Traders and vessels of either country may visit any ports of the other, to sell merchandise there and make purchases of any kind, on paying the ordinary customs duties. (Art. VII.)

(c) Provisions relating to search of merchant vessels by warships (Arts. II-IV); assistance to be given in case of shipwreck (Art. V); slavery (Art. VI); and reciprocal neutrality in case of war between other Christian and Mohammedan countries. (Art. X.)

Treaty with the Netherlands.

No. 80.

Treaty of friendship and commerce between Austria-Hungary and the Netherlands.

SIGNED 26 Mar., 1867. Duration indefinite. Terminable on one year's notice from either party. (Art. IX.)

TEXT: French and German, Neumann 11: 31-5; French, Lagemans 6: 50-1; B. F. S. P. 58: 646-9.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) in regard to:

(a) Personal status of citizens of either country in territories of the other, in all respects, except matters in respect to which national treatment is reciprocally accorded, as noted below under II. (Art. I.)

(b) Treatment in either country of products of the other, from whatever place arriving, with special reference to import duties under whatever name. This provision applies to the Dutch colonies also. (Art. II.)

(c) All matters relating to transit and exportation. (Art. II.)

(d) Any concessions or privileges which either country may grant in respect of its coasting trade. (Art. IV.)

(e) All privileges, exemptions, and immunities accorded to consular officers by either country. (Art. VII.)

II. National treatment is reciprocally pledged (subject to exceptions noted below) in regard to:

(a) Everything that concerns exercise of commerce, industry, and professions; payment of imposts; practice of religion; and acquisition or disposal in any manner of all kinds of real or personal property, by will or otherwise. (Art. I.)

(b) Treatment in either country of ships of the other and their cargoes, in all respects. This provision applies to the Dutch colonies also. (Art. III.)

(c) Protection of each other's citizens in all matters concerning trade-marks in either country. (Art. V.)

III. Other provisions of this treaty relate to duty-free admission by either country of commercial travelers' samples from the other, subject to customs formalities relating thereto. (Addl. conv. 12 Dec., 1888,²² Art. I.)

IV. Exceptions.—The most-favored-nation provisions noted above under I *a-c* do not apply to:

(a) The coasting trade of the Dutch colonies, but most-favored-nation treatment is reciprocally pledged regarding any concessions made in respect thereof to any foreign nation other than Asiatic countries of the Eastern Archipelago. (Art. IV.)

(b) Special advantages accorded exclusively to the subjects, products, merchandise, and flag of Asiatic nations of the Eastern Archipelago. (Art. IV.)

(c) Favors accorded by Austria to facilitate frontier traffic with States of the German customs union or other bordering States; and reductions or exemptions from duties concerning certain frontiers or inhabitants of certain districts. (Art. IV.)

(d) Facilities mentioned in Article VI of the treaty of 11 Apr., 1865^{22a} between Austria and the States of the German customs union.

(e) The coasting trade and national fisheries of Austria. (Art. IV.)

Treaty with Norway.

No. 81.

Treaty of commerce and navigation between Austria-Hungary and Norway.

SIGNED 3 Nov., 1873, at Vienna. Effective from 15 Apr., 1874, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XI.)

TEXT: French, Neumann 13:612-17; B. F. S. P. 63:964-8; Norwegian, Norway Tr. 1914:266-9.

I. Most-favored-nation treatment is reciprocally pledged in regard to:

(a) Import duties under whatever name which either country may impose on importation of products of the other, from whatever place arriving. (Art. II.)

(b) All matters concerning transit or exportation. (Art. II.)

(c) All privileges, exemptions, and immunities which either country may accord to consular officers. (Art. VIII.)

²² French, Martens 65:723-5; Neumann 19:299-303.

^{22a} English, B. F. S. P. 58:354-5.

(d) Imposts levied by either country on commercial travelers from the other. (Decl. of 25 Apr., 1892.²³)

II. National treatment is pledged in regard to:

(a) Exercise of commerce and industry in either country by citizens of the other, and all privileges, immunities, or favors of any kind relating thereto, with special reference to payment of duties, taxes, impost, or fees. (Art. I.)

(b) Treatment by either country of ships of the other and their cargoes (Art. III), with special reference to salvage and quarantine charges (Art. IX).

III. Other provisions.

(a) Drawbacks to be allowed by either country on reexportation of commercial travelers' samples from the other, subject to formalities to be agreed on. (Art. V.)

(b) Vessels of either country seeking refuge in ports of the other from damage or shipwreck are exempt from port and navigation dues under conditions stated; provided they do not engage in commerce. (Art. IX.)

(c) Assistance to be given by local authorities to the consuls in salvaging shipwrecked vessels. (Art. IX.)

(d) Cooperation of consuls with local authorities for recovery of seamen deserters. (Art. X.)

IV. Exceptions.—Most-favored-nation provisions noted above under I *a-b* do not apply to:

(a) The coasting trade and fishing industries of either country. (Art. IV.)

(b) Special favors enjoyed from time immemorial by Ottoman subjects regarding Turkish commerce with Austria-Hungary. (Art. IV *a*.)

(c) Favors which Austria-Hungary may accord to bordering districts to facilitate frontier traffic. (Art. IV *b*.)

(d) Facilities named in Article VI of the treaty of 9 Mar., 1868, between Austria-Hungary and the States of the North German Union, etc.^{23a} (Art. IV *c*.)

Treaty with Persia.

No. 82.

Treaty of commerce and navigation between Austria-Hungary and Persia.

SIGNED 17 May, 1857, at Paris. Effective from 13 Nov., 1857, for 25 years, and thereafter until terminated by 12 months' notice from either party. (Art. XIV.)

TEXT: French, Neumann 7: 278-85; B. F. S. P. 47: 1159-64.

I. Most-favored-nation treatment is pledged with regard to:

(a) Reception and treatment by either country of envoys and diplomatic agents from the other, and all honors, immunities, and privileges relating thereto. (Art. II.)

²³ French, B. F. S. P. 84: 119; Norwegian, Norway Tr. 1914: 271.

^{23a} English, B. F. S. P. 59: 105-6.

(b) Reception and treatment of subjects of either country traveling or doing business in the other, and their right to import, export, or transport merchandise to or from either country by land or sea; and to exercise commerce throughout either country, subject to the laws and regulations in force. (Art. IV.)

(c) Right of subjects of either country to hire houses, stores, and shops in the other; and all imposts relating thereto. (Art. IV.)

(d) Treatment of Austrian subjects in Persian localities where there is no Austrian agent or consul. (Art. IV.)

(e) Customs duties and taxes payable in either country by subjects of the other on importation or exportation of merchandise. (Art. V.)

(f) All honors, rights, and privileges which either country may accord to consuls and commercial agents. (Art. VII.)

(g) Conditional right of Austrian subjects to acquire and possess lands, houses, shops, and other immovable property in Persia, in case this right is accorded by Persia to subjects of any foreign nation. (Art. IV.)

(h) Treatment of Persian subjects in Austria with reference to matters involving negotiable instruments or commercial contracts. (Art. VIII.)

(i) Right of Persian representatives, consuls, and agents to intervene before Austrian authorities on behalf of their nationals for protection of their rights and interests in Austria (Art IX), and on behalf of their bankrupt nationals in Austria under conditions stated (Art. X).

(j) Judicial process to be applied in either country to subjects of the other involved in matters of criminal jurisdiction. (Art. XII.)

II. National and most-favored-nation treatment (optional) is pledged to Persian subjects in Austria with regard to protection of their rights and interests by Austrian laws and tribunals. (Art IX.)

III. Other provisions.

(a) Right of subjects of either country to travel in and through the other; with special reference to safe conducts and other protection to be given by local authorities in either country. (Art. III.)

(b) Persian officials may not enter by force into houses, stores, and shops of Austrian subjects, nor make any domiciliary search except in the presence of representatives of the Austrian diplomatic agent or consul. (Art. IV.)

(c) Subjects of Germany to enjoy in Persia all rights and advantages assured by this treaty to the commerce and subjects of Austria, on condition that the German States accord to Persian com-

merce and subjects the same rights and advantages accorded to them in Austria. (Art. VI.)

(d) Right of either country to appoint three consuls in the other at places named; it being understood that Austrian consular agents engaging in commercial affairs are subject in Persia, as regards their commerce, to the same laws and customs as Austrian subjects. (Art. VII.)

(e) Disputes arising in Persia between Austrian subjects shall be settled by Austrian officials in accordance with Austrian laws, without interference from local authorities; disputes between Austrians and subjects of other foreign nations shall be judged exclusively by their respective agents or consuls; disputes between Austrian and Persian subjects shall be judged by Persian tribunals in the presence of Austrian officials in the manner described. (Art. IX.)

(f) Consular administration in either country of estates of their deceased nationals. (Art. XI.)

Treaty with Portugal.

No. 83.

Exchange of notes between Austria-Hungary and Portugal establishing a commercial modus vivendi.

SIGNED 8 July, 1911, at Lisbon. Terminable on six months' notice by either party.

TEXT: French and German, Martens 91: 564-9; French, B. F. S. P. 106: 858-62.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms, respecting all matters concerning commerce, industry, and navigation.

Most-favored-nation treatment is further reciprocally pledged with regard to duties which either country may impose on importation and consumption of products of the other (including products of Portuguese colonies reexported from Portugal or its adjacent islands); except special favors which Portugal may concede to Spain or Brazil.

II. Other provisions.—Both countries recognize that the designations "Port" and "Madeira" on the one hand, and specified varieties of Tokaj on the other hand, belong exclusively to Portuguese and to Hungarian wines produced in the regions named; and accordingly each country undertakes to protect these regional designations by prohibiting their abuse or misuse.

III. Application to colonies, etc.—This agreement applies to all countries included in the conventional customs territory of Austria-Hungary; and extends, on the part of Portugal, to its adjacent islands: Madeira, Porto Santo, and the Azores.

Treaty with Rumania.

No. 84.

*Convention of commerce between Austria-Hungary and Rumania,
as revised by additional convention of 23 April, 1909.*

SIGNED 21 Dec., 1893, at Bucharest. Effective until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Addl. Conv.,²⁴ Art. V.)

TEXT: French, B. F. S. P. 85: 368-75.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting all favors, privileges, immunities, tariff reductions, and other advantages which either country may accord to the subjects, vessels, or products of any other nation; subject to the laws, ordinances, and special regulations applicable to all foreigners in matters of commerce, industry, police, and general security. (Arts. I, II.)

Most-favored-nation treatment is further reciprocally pledged in regard too:

(a) Treatment by either country of imported products of the other, whether destined for consumption, warehousing, reexportation, or transit; with special reference to payment of duties. (Art. II.)

(b) Export duties imposed by either country on objects exported to the other. (Art. II.)

(c) Application of specified exceptional prohibitions which either country may impose against importation, exportation, or transit. (Art. III; addl. conv.,²⁴ Art. I, 4.)

(d) Formalities of any kind to be applied by either country to commercial travelers from the other. (Art. IV.)

II. National and most-favored-nation treatment (optional) is reciprocally and unconditionally pledged by either country to merchandise, vessels and their cargoes of the other, in all respects, with special reference to remuneratory taxes and dues levied in ports, basins, docks, roadsteads, and harbors of either country. (Addl. conv.,²⁴ Art. III.)

III. National treatment is reciprocally pledged with regard to:

(a) Internal duties imposed in either country on production or consumption, whether levied by the State or by communes or corporations. Such duties must not for any reason bear more heavily on imported products of the other country than on similar national products. (Art. II A; addl. conv.,²⁴ Art. I, 3.)

(b) Treatment by either country of citizens of the other in matters concerning direct taxation. (Addl. conv.,²⁴ Art. III.)

²⁴ French, B. F. S. P. 102: 174-8.

(c) Military contributions or requisitions imposed by either country in peace or war, and right to indemnities established by the laws of the country in favor of nationals. (Addl. conv.,²⁴ Art. I, 5.)

IV. Other provisions.

(a) The products (as defined) of either country enumerated in tariffs A and B annexed to this treaty when imported into the other shall pay no other or higher duties than those specified in these tariffs. (Addl. conv.,²⁴ Art. I, 1.)

(b) Merchandise of every kind passing to or from either country is exempt in the other from all transit duties, whether going straight through or unloaded, stored, and reloaded. (Addl. conv.,²⁴ Art. I, 2.)

(c) Each country engages not to obstruct commerce with the other in any way by prohibitions against importation, exportation or transit, except in the following cases applying to all countries under the same conditions:

(1) Articles of State monopoly.

(2) Reasons of public safety.

(3) Measures of sanitary and veterinary police to prevent propagation of epizootic diseases and destruction of plants, especially by insects and noxious parasites.

(4) Provisions of war in exceptional circumstances. (Addl. conv.,²⁴ Art. I, 4.)

(d) Extensive provisions concerning treatment to be given by either country to merchants, manufacturers, and commercial travelers from the other. (Art. IV.)

(e) Temporary duty-free admission by either country of commercial samples from the other, subject to customs formalities relating thereto. (Art. V.)

(f) Citizens of either country are exempt in the other from all military service by land or sea, and from all obligatory judicial, administrative, or municipal official functions, except guardianship. (Addl. conv.,²⁴ Art. I, 5.)

(g) Arbitration of disputes concerning interpretation or application of tariffs A and B annexed to this convention, or concerning application of the most-favored-nation clause by the customs administration of either country; the court of arbitration to be constituted as described. (Art. VI A; addl. conv.,²⁴ Art. I, 6, and Art. III.)

(h) Extensive and detailed provisions to facilitate traffic between frontier districts. (Addl. article, amended by addl. conv.,²⁴ Art. II.)

(i) Detailed provisions concerning traffic in animals and animal products. (Notes, addl. conv.,²⁴ Art. III.)

²⁴ French, B. F. S. P. 102: 174-8.

V. Exceptions and explanations.

(a) This convention shall not be deemed to prevent either party from fulfilling its obligations under the provisions of the international convention of 5 Mar., 1902,²⁵ relating to bounties on sugar, as regards legislation in accordance therewith. (Addl. conv.,²⁴ Art. III.)

(b) Decisions concerning application of the customs tariff or interpretation of its provisions previously rendered by competent authorities of last resort in either country shall not be deemed to bar an appeal for a new decision under conditions stated. (Ibid.)

(c) The most-favored-nation provisions of Article I (noted above under I) do not affect special treaties which either party may conclude with any third power for reciprocal regulation of direct taxation. (Ibid.)

(d) The provisions of Article II (noted above under I *a-b*) do not apply to:

(1) Favors accorded to other bordering States to facilitate frontier traffic.

(2) Obligations which may be imposed on either country in virtue of a customs union. (Ibid.)

VI. Territorial application.—This convention extends to all countries or territories which may be united with either country in a customs union. (Art. VII.)

Treaty with Russia.**No. 85.***Treaty of commerce and navigation between Austria-Hungary and Russia.*

SIGNED 15 Feb., 1906, at St. Petersburg. Effective from 1 Mar., 1906, until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. Replaces the treaty of commerce and navigation of 14 Sept., 1860, and the commercial convention of 18 May, 1894. (Art. XXVI.)

TEXT: French and German, Neumann 27: 401-61; French, B. F. S. P. 99: 599-619.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any rights, privileges, immunities, favors, and exemptions which either country may grant to subjects of any other nation, in all respects; subject to special laws and regulations in matters of commerce, industry, or police applying to all foreigners in either country. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment of products of either country on importation into the other, whether imported for consumption, warehousing, reexportation, or transit; with special reference to duties, taxes, surtaxes,

²⁴ French, B. F. S. P. 102: 174-8.

²⁵ French, B. F. S. P. 95: 6-16. No longer in force.

imposts, contributions, or prohibitions imposed in either country, and any favors, facilities, immunities, or reductions of import duties accorded by either country to any third power. (Arts. II and V.)

(b) Any duties levied in either country on objects exported to the other, and any other favors relating to exportation. (Art. VII.)

(c) Acquisition, possession, and disposal of, or succession to, all kinds of movable or immovable property which the laws of the country permit foreigners to acquire or possess, by will or otherwise. (Art. XI.)

(d) Rights which stock companies and other commercial, industrial, or financial associations (including insurance companies) of either country are permitted to exercise in the other; with special reference to actions in courts of justice. (Art. XIII.)

(e) All privileges and prerogatives accorded to consular officers by either country. (Art. XXII and final protocol.)

(f) Treatment by either country of citizens of the other in matters concerning passports, except visa thereof. (Final protocol, Arts. I and XII.)

(g) Exemption of subjects of Austria-Hungary in Russia from guardianship of minors other than those of their own nationality. (Art. XXIII.)

II. National or most-favored-nation treatment (optional) is reciprocally and unconditionally pledged in regard to:

(a) All privileges or exemptions concerning treatment by either country of ships of the other and their cargoes, from whatever place arriving and whatever the place of origin or destination of the cargoes; except matters concerning:

(1) National fisheries, which are subject exclusively to the laws of each country.

(2) Any favors which either country may accord to its national merchant marine. (Art. XV.)

(b) Transportation of merchandise passing from either country over railways of the other, with special reference to rates, speed, and manner of carriage; except only reduced rates for public or charitable objects. (Art. XXI.)

III. National treatment is reciprocally pledged in general terms respecting all rights and impositions relative to exercise of commerce and industry in either country. (Art. I.)

National treatment is further reciprocally pledged in regard to:

(a) Internal duties levied on production or consumption by the State or by communes or corporations in either country. These must not under any pretext bear more heavily on imported products of the other country than on similar articles of native production. (Art. VI.)

(b) Any taxes, imposts, or charges under whatever name imposed by either country on acquisition, possession, and disposal of, or succession to, property of any kind which laws of the country permit foreigners to acquire or possess, or on export of proceeds if sold. (Art. XI.)

(c) All rights and immunities regarding access to courts of justice, and employment of advocates or others therein. (Art. XI.)

(d) Right of citizens of either country to attend fairs and markets in the other for the purpose of exercising their commerce and selling their products; with special reference to payment of taxes. (Art. XII.)

(e) Right of subjects of either country to make use of specified equipments and services in the other established for public use, such as highways, waterways, canals, locks, ferries, bridges, ports, landings, pilotage, cranes, weigh-bridges, warehouses, salvage facilities, and other establishments intended for public service and commercial use, whether administered by the State or privately under State authority. No dues to be collected unless the equipment or service was actually used, except for pilotage and maritime lighthouse service. (Art. XVII.)

(f) Any dues payable in ports of either country for inspection of cargo not discharged at that port. (Art. XIX.)

(g) Treatment of vessels of either country wrecked on coasts of the other, with special reference to any favors or immunities accorded by law in either country to shipwrecked vessels. Salvaged merchandise to be exempt from all customs duties, unless landed for consumption in the country. (Art. XX.)

(h) Exceptional military contributions incumbent on possession of landed property in either country. (Art. XXIII.)

IV. Other provisions.

(a) Neither country to obstruct reciprocal commerce by any prohibitions or restrictions regarding importation or transit (via routes open to transit), except in the following cases:

(1) Tobacco, salt, gunpowder and other explosives, and articles of State monopoly in either country. (Art. IV a.)

(2) Provisions of war in exceptional circumstances. (Art. IV b.)

(3) Considerations of public safety, and measures of sanitary or veterinary police. (Art. IV c.)

(b) Products of either country enumerated in Tariffs A and B annexed to this treaty to pay on importation into the other no higher duties than those specified in these tariffs; except to offset any increased excise duties which either country may levy on consumption or production of similar articles of national production. (Art. V.)

(c) Exemption of merchandise of any kind from all transit duties in either country when passing by a commercial route open to transit, whether going straight through, or unloaded, stored, and reloaded. (Art. VIII and final protocol, Arts. II, III, and V.)

(d) Vehicles of all kinds and used household articles passing from either country into the other under conditions stated are admitted without payment of duty, but river boats are subject to special regulations. (Art. X.)

(e) Detailed provisions concerning rights of merchants, manufacturers, and commercial travelers of either country, whatever their religion, to buy, sell, and book orders in the other, with or without samples, and statement of fees and conditions relating thereto. (Art. XII and final protocol.)

(f) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage, but coasting trade is expressly excepted. (Arts. XV and XIX.)

(g) Nationality of vessels to be recognized according to ship's papers issued by competent authorities under laws of each country. (Art. XVI.)

(h) Vessels of either country are exempt in ports of the other from tonnage and clearance duties, under conditions stated. (Art. XVIII.)

(i) Detailed provisions concerning railway and border traffic between the two countries. (Art. XXI and final protocol.)

(j) Provisions concerning rights and duties of consuls, with special reference to consular administration of estates of their deceased nationals. (Art. XXII and final protocol.)

(k) Subjects of either country are exempt in the other from all compulsory military service by land or sea, from any contributions in lieu of personal service, and from obligation to accept judicial or municipal office, except when incumbent on possession of landed property, and except obligations of guardianship, as noted under I g above. (Art. XXIII.)

(l) Local authorities of either country to assist consuls of the other in recovery of seamen deserters. (Art. XXIV.)

(m) Final protocol modifying specified articles of the treaty as noted above, and containing further provisions regarding certificates of origin (Arts. II and V); lower import duties payable on merchandise imported by sea than by land (Arts. II-VIII); and river traffic between the countries (Art. XVII).

(n) Extensive and detailed provisions concerning admission into either country of poultry and specified animal products from the other (such as wool, meat, hides, bones, horns, hoofs, etc.); and duties on specified Austro-Hungarian mineral waters when imported

into Russia. (Notes, with stipulations and lists annexed to the treaty.)

V. Exceptions.

(a) Provisions of this treaty do not apply to:

(1) Obligations imposed on either party by engagements of a customs union, notably the favors accorded by Austria-Hungary to Liechtenstein, Bosnia, and Herzegovina. (Art. III, 1.)

(2) Favors accorded to bordering States to facilitate traffic in a frontier zone of 15 kilometers wide. (Art. III, 2.)

(3) Favors accorded to inhabitants of the province of Archangel regarding importation and exportation, or concerning the north and east coasts of Siberia. But imports from Austria-Hungary into these territories are entitled to the benefit of all customs facilities granted to importations from any European or North American country. (Art. III, 3.)

(4) The coasting trade, which is reserved for regulation by the laws of each country. (Art. XV.)

(b) The provisions of Articles II, VII, and VIII (noted under I *a-b* and IV *c* above) do not apply to special stipulations of the treaty of 8 May, 1838,²⁶ between Russia, Sweden, and Norway, or to stipulations respecting Russian commerce with Asiatic States and countries bordering on Russia. (Art. III, 3.)

(c) The exceptions named in Article III (noted above under V *a-b*) are not deemed to include favors accorded by Austria-Hungary to specified articles from Germany, Italy, and Switzerland. (Notes annexed.)

VI. Territorial application.—This treaty extends also to countries belonging to the customs territory of either party. (Art. XXIV.)

Treaty with Serbia.

No. 86.

Convention of commerce and navigation between Austria-Hungary and Serbia.

SIGNED 27 July, 1910, at Belgrade. Ratifications exchanged there 23 Jan., 1911. Effective until 31 Dec., 1917, and thereafter until terminated by one year's notice from either party. (Art. XIX.)

TEXT: French, Neumann 32: 469-542; B. F. S. P. 103: 365-72.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms respecting any favors or exemptions which either party may concede in matters concerning payment of duties on importation or exportation, or with reference to transit. (Art. IX.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

²⁶ See No. 440.

(a) All rights accorded by either country to stock companies and other commercial, financial, or industrial associations (including insurance companies of any kind); with special reference to exercise of commerce and industry, and acquisition or possession of immovable property. (Art. II.)

(b) Any privileges which either country may accord to foreign commercial travelers with regard to soliciting orders from persons not engaged in commerce or industry. (Art. IV.)

(c) All conditions or formalities regarding duty-free admission of commercial travelers' samples. (Art. V.)

(d) Customs treatment of products of either country on importation into the other. (Art. VIII.)

(e) Temporary exemption from import and export duties in either country of specified articles subject to reexportation under conditions stated. (Art. X.)

(f) Additional (remuneratory) customs duties or accessory taxes of any kind levied in either country on imported products of the other under conditions stated; the rates in Serbia not to exceed those specified. (Art. XIII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in general terms respecting all rights, favors, and exemptions which either country may accord in matters of commerce, industry, and navigation. (Art. I.)

National or most-favored-nation treatment (optional) is further reciprocally pledged in regard to:

(a) Right of citizens of either country to settle and reside in any part of the other, and to travel on its railways, rivers, and highways. (Art. II.)

(b) Right to acquire lands and houses in either country, and to rent or own them in whole or in part; and generally, the right to acquire real and personal property, and to alienate or transmit the same by sale, will, or otherwise, without authorization from the authorities of the country. (Art. II.)

(c) Exercise of commerce and industry and management of business in either country, in person or otherwise; with special reference to transportation of persons and merchandise, establishing stores, fixing prices of merchandise and remuneration for services, making customs declarations, and to urge rights and claims before the authorities and tribunals of the country. (Art. II.)

(d) All duties, contributions, imposts, or taxes relating to any of the matters noted under II *a-c* above. (Art. II.)

(e) Application to citizens of either country in the other of the laws and regulations relating to commerce, industry, and public security. (Art. II.)

III. National treatment is reciprocally pledged in regard to:

(a) Military contributions or requisitions imposed by either country in peace or war, and right to indemnities relating thereto as provided by law. (Art. III.)

(b) Treatment of citizens of either country proceeding to fairs or markets in the other to exercise their commerce and sell their products. (Art. IV.)

(c) Internal duties on production or consumption levied on national products in either country, whether by the State or by municipalities or corporations. Such duties must not, under any pretext, bear more heavily on imported products of the other country than on similar articles of native production. (Art. XII.)

IV. Other provisions.

(a) Foundations, corporations, and other moral associations or persons (except stock companies and other commercial, industrial, or financial associations) are excluded from the right to acquire immovable property in either country. (Art. II.)

(b) Citizens of either country are exempt in the other from all military service by land or sea, and from obligation to accept judicial, administrative, or municipal office, except that of guardian for wards of their own nationality. (Art. III.)

(c) Detailed provisions concerning privileges of manufacturers and merchants of either country and their agents or commercial travelers in the other; also carriers, teamsters, and boatmen of either country, who are exempt from payment of trade dues in the other. (Art. IV.)

(d) Neither country to obstruct commerce with the other by any prohibitions regarding importation, exportation, or transit; except in the following cases:

(1) State monopolies.

(2) Considerations of public safety, and measures of sanitary or veterinary police, including measures to prevent propagation of insects or other organisms injurious to agriculture.

(3) Provisions of war in exceptional circumstances. (Art. VI.)

(e) Merchandise of any kind passing to or from either country is exempt in the other from all transit dues and consumption taxes, whether passing straight through, or loaded, stored, and reloaded. (Art. VII.)

(f) Products (as defined) of either country enumerated in tariffs A and B annexed to this treaty to pay on importation into the other the duties fixed by these tariffs. (Art. VIII.)

(g) Extensive and detailed provisions to facilitate frontier traffic between the two countries. (Art. XI and Annex C.)

(h) No internal duties to be levied on imported products of either country not produced in the other, except the Serbian tax known as trocharina, as then existing. (Art. XII.)

(i) Provisions relating to customs treatment of traffic by railways of either country (Art. XIV); prevention of smuggling (Art. XV); reciprocal protection of patents, trade-marks, models, etc. (Art. XVI); and arbitration of differences regarding interpretation or application of the tariffs or other provisions of this treaty (Art. XVII).

V. Territorial application.—This treaty extends to all countries which may at any time belong to the conventional customs territory of Austria-Hungary. (Art. XVIII.)

Treaty with Siam.

No. 87.

Treaty of commerce between Austria-Hungary and Siam.

SIGNED 17 May, 1869, at Bangkok. Effective from 30 Apr., 1872, for indefinite term, subject after twelve years to revision on twelve months' notice from either party. (Art. XXV.)

TEXT: French, B.F.S.P. 61: 1308-21.

I. Most-favored-nation treatment is pledged to the Government and citizens of Austria-Hungary regarding free and equal participation in any privileges which Siam may grant to the Government or subjects of any other nation. (Art. XXIV.)

Most-favored-nation treatment is further pledged in regard to:

(a) Freedom of commerce and navigation in any part of either country where trade and navigation are allowed. (Art. I.)

(b) All privileges, immunities, powers, and exemptions accorded to consular agents by either country. (Art. II.)

II. National or most-favored-nation treatment (optional) is pledged to Austrian vessels and their cargoes in Siamese ports respecting any privileges or immunities granted to junks and to Siamese or to foreign vessels. (Art. XVIII.)

III. National treatment is pledged respecting taxes payable by Austrian subjects on landed property acquired in Siam under conditions stated. (Art. VIII.)

IV. Other provisions.

(a) Protection of persons and property of subjects of either country in territories of the other. (Art. I.)

(b) Right of Austrian subjects to free exercise of their religion, and right to build churches. (Art. III.)

(c) Austrian subjects wishing to reside in Siam must be registered at the Austrian consulate in the manner described. (Art. IV.)

(d) Right of subjects of Austria to reside in Siam within boundaries stated, and beyond these limits by special permission, and to travel and trade throughout the whole of Siam, buying and selling any lawful merchandise without hindrance from any exclusive right of purchase or sale. (Art. V.)

(e) Right of subjects of Austria-Hungary to hire, buy, or build houses, and to buy or lease lands or plantations within boundaries stated, subject to resumption by the Siamese Government if the lands are not cultivated or improved within three years from date of possession; also right to engage in mining and all kinds of lawful industry in Siam. (Art. VIII.)

(f) By paying the specified duties of importation and exportation, Austrian vessels and their cargoes shall be free in Siamese ports of all taxes of tonnage, pilotage, anchorage, and of any other tax whatever. (Art. XVIII.)

(g) Duties payable in Siam on merchandise imported by vessels of Austria shall not exceed 3 per cent ad valorem (Art. XIX), which shall never be increased (Art. XXI). Upon payment of specified import and export duties, Austrian subjects may freely import into or export from Siam to or from any foreign port every kind of merchandise, except specified articles subject to restrictions named. (Art. XXI.)

(h) Detailed and extensive provisions relating to functions of Austrian consuls (Art. II); employment of Siamese subjects (Art. VI); passports (Art. VII); settlement of disputes between Austrian and Siamese subjects (Arts. IX, X); piracy or robbery on shore (Art. XI); arrest of sailors, criminals, and fugitives (Art. XII); bankruptcy (Art. XIII); recovery of debts (Art. XIV); disposal of property left by subjects of either country dying in the other (Art. XV); assistance to ships in distress (Art. XVII); and arbitration of disputes between the two countries (Art. XXVI).

(i) Commercial regulations for the conduct of Austria's trade in Siam. (Annex.)

(j) Tariff schedules of export and inland duties. (Annex.)

Treaty with Sweden.

No. 88.

Treaty of commerce and navigation between Austria-Hungary and Sweden.

SIGNED 3 Nov., 1873, at Vienna. Effective from 15 Apr., 1874, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XI.)

TEXT: French. Neumann 13:612-17; Sverges Tr. 12:450-5; B. F. S. P. 63:964-8.

I. Most-favored-nation treatment is reciprocally pledged in regard to:

(a) Import duties under whatever name which either country may impose on importation of products of the other, from whatever place arriving. (Art. II.)

(b) All matters concerning transit or exportation. (Art. II.)

(c) All privileges, exemptions, and immunities which either country may accord to consular officers. (Art. VIII.)

(*d*) All rights, facilities, prerogatives, exemptions, or tax reductions granted to commercial travelers in either country. (Art. VI, as completed by decl. of 22 June, 1911.²⁷)

II. National treatment is pledged in regard to:

(*a*) Exercise of commerce and industry in either country by citizens of the other, and all privileges, immunities, or favors of any kind relating thereto, with special reference to payment of duties, taxes, imposts, or fees. (Art. I.)

(*b*) Treatment by either country of ships of the other and their cargoes (Art. III), with special reference to salvage and quarantine charges (Art. IX).

(*c*) Travelers' license fees, and any restrictions applicable in Sweden to commercial travelers of Austria-Hungary. (Decl. of 22 June, 1911.²⁷)

III. Other provisions.

(*a*) Drawbacks to be allowed by either country on reexportation of commercial travelers' samples from the other, subject to formalities to be agreed on. (Art. V.)

(*b*) Vessels of either country seeking refuge in ports of the other from damage or shipwreck are exempt from port and navigation dues under conditions stated; provided they do not engage in commerce. (Art. IX.)

(*c*) Assistance to be given by local authorities to the consuls in salvaging shipwrecked vessels. (Art. IX.)

(*d*) Cooperation of consuls with local authorities for recovery of seamen deserters. (Art. X.)

(*e*) Right of commercial travelers of either country to make purchases in the other, and to book orders with or without samples, but without peddling their merchandise. (Decl. of 22 June, 1911.²⁷)

IV. Exceptions.—Most-favored-nation provisions noted above under I *a-b* do not apply to:

(*a*) The coasting trade and fishing industries of either country. (Art. IV.)

(*b*) Special favors enjoyed from time immemorial by Ottoman subjects regarding Turkish commerce with Austria-Hungary. (Art. IV *a*.)

(*c*) Favors which Austria-Hungary may accord to bordering districts to facilitate frontier traffic. (Art. IV *b*.)

(*d*) Facilities named in Art. VI of the treaty of 9 March, 1868, between Austria-Hungary and the States of the North German Union, etc.^{27a} (Art. IV *c*.)

²⁷ French, B. F. S. P. 105 : 929-30.

^{27a} English, B. F. S. P. 59 : 105-6.

Treaty with Switzerland.**No. 89.***Treaty of commerce between Austria-Hungary and Switzerland.*

SIGNED 9 Mar., 1906, at Vienna. Effective from 1 Aug., 1906, until 31 Dec., 1917, and thereafter until terminated by one year's notice from either party. (Art. XVI.) Denounced by Switzerland 6 Mar., 1920, but prolonged for periods of three months by exchange of notes between Switzerland, Austria, Hungary, and Czechoslovakia, and now terminable as between Switzerland and either of these countries by notice given one month before expiration of any three-monthly period. (Rap. Con. Fed., 1919: 3.)

TEXT: German, Neumann 28: 419-88; French, B. F. S. P. 99: 619-44.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any favors or exemptions which either party may concede in matters concerning payment of duties on importation or exportation, or with reference to transit. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Rights which stock companies and other commercial, industrial, or financial associations of either country are permitted to exercise in the other; on condition of conforming to the laws and regulations in force. (Art. VIII.)

(b) All facilities which either country may accord to expedite customs clearance of merchandise imported by rail from the other; on condition of reciprocity. (Art. XII.)

(c) All privileges, exemptions, and immunities accorded to consular officers by either country. (Art. XIII.)

II. National treatment is reciprocally pledged in regard to:

(a) Internal duties payable in either country on consumption or production of any of its products, whether levied by the State or by cantons, provinces, municipalities, or corporations. These must not under any pretext bear more heavily on imported products of the other country than on similar articles of domestic production; subject to specified exceptions under conditions stated. (Art. VI and final protocol.)

(b) Treatment of subjects of either country proceeding to markets or fairs in the other to follow their business or sell their produce, with special reference to payment of taxes incidental thereto. (Art. VII and final protocol.)

(c) Right to navigate all natural or artificial waterways in either country, and all conditions or taxes relating thereto. (Art. X.)

(d) Treatment in either country of citizens of the other making use of specified equipments and services established for public use, such as roads, canals, locks, bridges, weigh-bridges, ports, landings, signals, cranes, pilotage, warehouses, and facilities for salvage of vessels or cargoes, whether such services are administered by the

State or by private parties; with special reference to conditions or taxes relating thereto. No tax to be collected unless the equipment or service was actually used, except pilotage and lighting service on the lakes which are subject to special regulations. (Art. XI.)

III. Other provisions.

(a) Neither country to impose prohibitions against the other regarding importation, exportation, or transit, except in the following cases (Art. I) :

(1) State monopolies of either country. (Art. I a.)

(2) Considerations of public safety, and sanitary or veterinary measures to prevent propagation of insects or other organisms injurious to agriculture. (Art. I b.)

(3) Provisions of war in exceptional circumstances. (Art. I c.)

(b) Specified import duties to be levied by either country on products of the other listed in tariffs A and B annexed to the treaty. (Art. II.)

(c) Certificates of origin may be required by either country for merchandise imported from the other, under conditions stated. (Art. II.)

(d) Merchandise of all kinds passing through either country to or from the other is exempt from all transit duties, whether going straight through, or unloaded, stored, and reloaded. (Art. III.)

(e) Elaborate and detailed provisions respecting frontier traffic, specified articles being exempt from customs duties in either country, subject to observance of customs regulations relating thereto. (Art. IV, addl. article, and final protocol.)

(f) Detailed provisions designed to expedite customs formalities for transportation of merchandise passing direct from either country into the other and subject to permits. (Art. V.)

(g) To protect State monopolies, additional import duties may be imposed on objects of State monopoly of either country, and on articles employed in their manufacture, even though similar native products are not subject to an additional tax. (Art. VI.)

(h) Each country reserves the right to impose on products containing alcohol an additional import duty equal to its internal fiscal charge on the alcohol contained in the imported product. (Art. VI.)

(i) Extensive provisions concerning treatment and rights in either country of merchants, manufacturers, and commercial travelers from the other. (Art. VII and final protocol.)

(j) No duties to be levied by either country on merchandise from the other for landing or transshipment. Carriers of such merchandise shall not be detained or compelled to unload and reload; except when required by regulations to insure safe navigation, sanitation, and payment of duties. (Art. X.)

(*k*) Detailed provisions concerning charges payable on frontier traffic over connecting highways, and transportation charges on merchandise carried by rivers or canals from or through either country to the other. (Art. XI.)

(*l*) Detailed provisions designed to facilitate customs formalities at frontier stations for merchandise passing in closed wagons from either country to certain destinations in the other. (Art. XII.)

(*m*) Arbitration of disputes concerning interpretation or application of the tariffs annexed to this treaty, or of tariff treaties concluded by either party with any other country, and statement of procedure relating thereto. (Art. XIV.)

(*n*) Elaborate and detailed provisions designed to facilitate frontier traffic between border districts of either country, by exempting numerous specified objects from customs duties on importation or exportation, under conditions described in detail. (Addl. article and final protocol.)

(*o*) Extensive schedules of import duties payable in either country on products of the other listed in tariffs A and B annexed to the treaty.

IV. Exceptions.—Most-favored-nation treatment noted above under I (general clause) does not apply to:

(*a*) Favors which either country may accord to bordering States to facilitate frontier traffic, and reduction or exemptions from customs duties applying only to specified frontiers, or to inhabitants of certain districts. (Art. I, 1.)

(*b*) Obligations which may be imposed on either country by a customs union. (Art. I.)

(*c*) Legislation of either country concerning itinerant trades, peddling, and soliciting orders from persons not engaged in commerce or industry. (Art. VII.)

Treaty with Zanzibar.

No. 90.

Convention between Austria-Hungary and Zanzibar for regulation of commercial and maritime relations.

SIGNED 11 Aug., 1887, at Zanzibar. Effective from 29 Dec., 1888, for 10 years, and thereafter terminable on 12 months' notice by either party. (Art. III.)

TEXT: French (authentic), Neumann 19:90-2; B. F. S. P. 78:942-4.

Most-favored-nation treatment is reciprocally pledged with respect to commerce and navigation, and in all other respects; with special reference to:

(*a*) Duties payable on merchandise and ships of either country on importation and exportation. (Art. I.)

(*b*) All privileges, immunities, and exemptions accorded to consuls in either country. (Art. II.)

BELGIUM.

Treaties with America, United States of, to Austria-Hungary.

Treaties of Belgium with the following countries have been previously dealt with in this volume under:

America, United States of, No. 4.

Austria, No. 63.

Austria-Hungary, No. 66.

Treaty with Bolivia.

No. 91.

Treaty of friendship and commerce between Belgium and Bolivia.

SIGNED 18 Apr., 1912, at La Paz. Ratifications exchanged there 3 May, 1913. Effective from 3 June, 1913, for 10 years, and thereafter terminable on 12 months' notice from either party. (Art. VII.)

TEXT: French and Spanish, Martens 94: 415-9; French, B. F. S. P. 106: 871-3; Spanish, Bolivia Tr. Vig. 101-7.

I. Most-favored-nation treatment is reciprocally pledged in regard to residence, commerce, customs duties, and navigation. (Art. II.)

II. National treatment of each other's citizens is reciprocally pledged in regard to military contributions and indemnities. (Art. IV.)

III. Other provisions.

(a) Exemption of each other's citizens from all military service by land or sea. (Art. IV.)

(b) Children born of Bolivians in Belgium and those born of Belgians in Bolivia may choose either nationality, within twelve months after attaining the age of 21 years (Art. V). Sons of either parentage are not liable to military service in either country below the age of 22 years. (Art. VI.)

IV. Exceptions.—Stipulations of this treaty do not apply to:

(a) Special commercial favors, exemptions, or privileges conceded by Bolivia to bordering States. (Art. III, 1.)

(b) Advantages conceded by either country to a third nation in virtue of a customs union. (Art. III, 2.)

(c) Special measures adopted by either country on sanitary grounds. (Art. III, 3.)

(d) Surtaxes imposed by either country to offset bounties on exportation from or production in the other country. (Art. III, 4.)

Treaties with Brazil.

No. 92.

Agreement regulating commercial relations between Belgium and Brazil.

RECORDED by exchange of notes of 12 Dec., 1863, and 14 Jan., 1864, and proclaimed by Belgian decree of 31 Dec., 1863.

TEXT: French, Belgian Tr. 1900: 70-1; Portuguese, Cod. Rel. Ext. 1900, No. 123.

Most-favored-nation treatment is reciprocally pledged as follows:

So long as Brazil accords most-favored-nation treatment to products of Belgium, Brazilian products shall receive in Belgium the customs treatment accorded to the United Kingdom of Great Britain and Ireland.

No. 93.

Preferential tariff agreement between Belgium and Brazil.

EFFECTIVE from 1 Sept., 1920, in accordance with Brazilian presidential decree of 3 Sept., 1920.^a

TEXT: Portuguese, Brazil D. O. 7 Sept., 1920.

A preferential reduction of 20 per cent of the duty is granted on the following Belgian goods imported into Brazil: Scales, refrigerators, cement, corsets, rubber articles covered by No. 1033 of the Brazilian tariff, pianos, paints, inks other than writing ink, and varnishes.

Treaty with Bulgaria.²⁸

No. 94.

Treaty of commerce and navigation between Belgium and Bulgaria.

SIGNED 29 Aug., 1908, at Sofia. Effective from 4 June, 1909, until 28 Feb., 1911, and thereafter until terminated by 12 months' notice from either party. (Art. XXIII.)

TEXT: French, Busschère 20: 223-38; B. F. S. P. 101: 711-720; Martens 89: 302-11.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) with regard to all matters concerning consumption, warehousing, re-exportation, transit, transshipment of merchandise, transportation on railways, discharge of customs formalities, and generally all matters relating to exercise of commerce and industry in either country; with special reference to any favors, privileges, or reductions of duties on importation or exportation which either country may accord to any third power. (Art. V.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

²⁸ See p. 391, note 82.

^a This reduction was continued for 1922 without change, by presidential decree of 4 Jan., 1922.

(a) Rights which commercial, industrial, and financial companies and associations of either country may exercise in the other. (Art. IV.)

(b) All matters concerning transit through either country. (Art. VIII.)

(c) Treatment of Belgian vessels and their cargoes in Bulgarian ports of the Black Sea and the River Danube, in all respects; with special reference to payment of duties. (Art. XV.)

(d) Treatment of Belgian subjects in Bulgaria with reference to judicial procedure in civil cases. (Decl. A.)

(e) Bulgarian customs treatment of Belgian merchandise with reference to packing and deduction of tare. (Decl. B.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) All taxes, imposts, or fees of any kind payable by subjects of either country on their commerce or industry in any part of the other. (Art. I.)

(b) Right of subjects of either country to exercise any lawful commerce or industry in the other, personally or by agents, singly or jointly, with nationals or other foreigners; except that of village innkeepers, pharmacists, brokers, peddlers, and other itinerant tradesman. (Art. III.)

(c) Right of subjects of either country to acquire, rent, and possess land, houses, and shops in the other conformably to the laws of the country. (Art. III.)

(d) Internal duties or taxes of any kind (excise, octroi, etc.) levied in either country on production or consumption, whether imposed by the State or by communes. Such taxes must not bear more heavily on imported products of the other country than on similar articles of native or other foreign production. (Art. VII.)

(e) Any special tax payable by merchants, manufacturers, or their commercial travelers of either country making purchases or soliciting orders in the other. (Art. IX.)

(f) Any privilege or favor which either country may accord in matters concerning the placing, loading, or unloading of vessels in ports, rivers, canals, or other waters of either country; including all formalities and arrangements affecting merchant vessels and their crews or cargoes. (Art. XII.)

III. National treatment is reciprocally pledged in regard to:

(a) All privileges, immunities, or favors of any kind in matters of commerce and industry. (Art. I.)

(b) Any military contributions or requisitions imposed by either country on citizens of the other in peace or war, and right to indemnities established by law in either country. (Art. II.)

(*c*) Treatment of vessels of either country and their cargoes in ports of the other, in every respect, from whatever place arriving and whatever the place of origin or destination of the cargoes; with special reference to duties, taxes, or charges of any kind, whether affecting the hull of the ship or its flag or cargo, and no matter by whom or how levied in either country. (Art. X.)

(*d*) Treatment of vessels of either country seeking refuge in ports of the other from damage or shipwreck, with special reference to payment of duties or charges of any kind. (Art. XVII.)

(*e*) Protection of trade-marks in either country belonging to subjects of the other, subject to observing formalities prescribed by law. (Art. XVIII.)

IV. Other provisions.

(*a*) Citizens of either country are exempt in the other from all military service by land or sea. (Art. II.)

(*b*) Products of either country, enumerated in tariffs A and B annexed to this treaty shall pay on importation into the other no higher duties than those fixed by these tariffs. (Art. VI.)

(*c*) Merchandise of any kind passing to or from either country is exempt in the other from all transit duties; except special regulations concerning gunpowder, and arms or munitions of war. (Art. VIII.)

(*d*) Duty-free admission by either country of commercial travelers' samples from the other, subject to customs regulations relating thereto. (Art. IX and Annex C.)

(*e*) Nationality of vessels to be recognized in accordance with ships' papers issued by the competent authorities under laws of each country. (Art. XI.)

(*f*) Vessels of either country entering ports of the other to complete their loading or to land part of their cargo need not pay duty on portion of cargo not discharged at that port. (Art. XIII.)

(*g*) Vessels of either country may load or discharge foreign cargoes at different ports of the other on the same voyage; but coasting trade is excepted. (Art. XIV.)

(*h*) Exemption of vessels from tonnage and clearance duties in ports of either country, under conditions stated; but sanitation dues are excepted. (Art. XVI.)

(*i*) Arbitration of disputes concerning interpretation or application of this treaty, and statement of procedure relating thereto. (Art. XXII and final protocol.)

(*j*) Detailed provisions concerning rights of Belgian subjects in Bulgaria with regard to judicial procedure in civil and commercial matters. (Decl. A.)

(*k*) Bulgarian import duties on specified Belgian merchandise to be charged on net weights. (Decl. B.)

V. Exceptions.—Provisions of this treaty do not apply to:

(a) The coasting trade, which is reserved by each country, exclusively, for its national flag. (Art. XIV.)

(b) Advantages which either country may accord to its national fisheries. (Art. XIX.)

(c) Concessions granted to bordering States to facilitate frontier traffic within 15 kilometers of the boundary line. (Art. XX.)

(d) Concessions which either country may accord to another State in virtue of a customs union. (Ibid.)

(e) Collection of supplementary duties to offset bounties on production or exportation. (Ibid.)

(f) Bulgarian State monopolies of powder, tobacco, alcohol, salt, petrol, matches, cigarette papers, and playing cards. (Art. XXI.)

See also Treaty of Neuilly, No. 210.

Treaty with China.

No. 95.

Treaty of friendship, commerce, and navigation between Belgium and China.

SIGNED 2 Nov., 1865, at Peking. Ratifications exchanged 27 Oct., 1866, at Shanghai. Effective from 27 Oct., 1866, for 10-year periods, subject to revision every 10 years on six months' previous notice from Belgium. (Art. XLVI.)

TEXT: French, Busschère 2: 174-86; B. F. S. P. 56: 667-91; Hertslet's China Tr. I: 223-34.

I. Most-favored-nation treatment is pledged by China to Belgium in respect to:

(a) Full and equal participation in all privileges, immunities, and advantages which China may accord to the Government or subjects of any other nation; with special reference to any changes made in favor of any other country in customs tariffs, or in regulations concerning customs duties, tonnage and port dues, or duties on imports, exports, or transit. (Art. XLV.)

(b) Privileges and immunities of Belgian consular officers in China. (Art. VII.)

(c) Duties payable on merchandise imported or exported by Belgian subjects to or from Chinese ports open to foreign commerce. (Art. XXX.)

II. Other provisions.

(a) Protection in either country of persons and property of subjects of the other. (Arts. I and XVII.)

(b) The diplomatic agent of Belgium to enjoy in China all privileges and immunities accorded by international law to diplomatic agents among western nations (Arts. III, IV); the diplomatic agent of China to enjoy the same privileges in Belgium. (Art. VI.)

(c) Right of Belgian subjects at designated Chinese ports and places open to foreign commerce to rent lands and to rent or build houses, stores, churches, hospitals, schools, and cemeteries. (Art. XII.)

(d) Disputes between Belgians, or between Belgians and other foreigners in China are subject to Belgian jurisdiction exclusively. (Art. XX.)

(e) Chinese subjects guilty of criminal offenses against Belgians to be arrested and punished by Chinese authorities according to Chinese law; Belgians guilty of criminal offenses against Chinese to be punished according to Belgian law. (Art. XIX.)

(f) Extensive provisions relating to passports (Art. X); employment of Chinese subjects (Art. XIII); protection of property and persons of Christian missionaries (Art. XV); piracy (Art. XLIV); and detailed stipulations concerning Belgian commerce and shipping in China or Chinese waters. (Arts. XXI-XLIII.)

(g) Extensive tariff schedules and regulations governing Belgian commerce in China are annexed to the treaty.

Treaty with Denmark.

No. 96.

Treaty of commerce and navigation between Belgium and Denmark.

SIGNED 18 June, 1895, at Copenhagen. Effective from 26 June, 1895, for 10 years, and thereafter terminable on 12 months' notice by either party. (Art. XXI.)

TEXT: French, Busschère 2:191-3; B. F. S. P. 87:774-9; Martens 71:607-12.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) in regard to all privileges, favors, or immunities which either country may accord in matters concerning navigation, commerce, and fisheries. (Arts. VIII and XVII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) License fees payable in either country by commercial travelers from the other. (Art. I.)

(b) Warehousing dues and any formalities imposed by either country on merchandise from the other awaiting transit, reexportation, or release for consumption. (Art. X.)

(c) All matters concerning transit through either country. (Art. XI.)

(d) Any prohibitions established by either country against the other regarding importation, exportation, or transit, except temporary prohibitions or restrictions deemed necessary on sanitary grounds, or to prevent propagation of epizootic diseases and destruction of crops, and except measures connected with war. (Art. XII.)

(e) Any favors or privileges which either nation may grant in respect of its coasting trade. (Art. XIII.)

(f) All duties imposed by either country on importation of products of the other; and any favors, privileges, or tariff reductions concerning importation or exportation. (Art. XIV.)

(g) Rights accorded in either country to commercial, industrial, or financial companies and associations duly constituted in the other, with special reference to actions in courts of justice in any of the possessions of either country. (Art. XV.)

II. National treatment is reciprocally pledged in regard to:

(a) All rights, privileges, liberties, favors, immunities, and exemptions which either country may accord in matters of commerce, industry, and navigation, and all taxes or imposts relating thereto; except as noted below. (Art. I.)

(b) Right of citizens of either country to manage their affairs in the other personally or by agents of their own selection, without being obliged to pay persons they have not seen fit to employ; and to bargain freely and fix prices in buying or selling any merchandise imported or destined for exportation, on condition of conforming to the customs laws of the country. (Art. II.)

(c) All charges, restrictions, or taxes imposed in either country on movable or immovable property. (Art. III.)

(d) Treatment of vessels of either country in ports of the other, from whatever place arriving and whatever their destination; with special reference to dues for tonnage, lighthouse, pilotage, port, quarantine, and any other charges affecting the hull of the ship, whether levied for the State or for public officials, communes, corporations, or establishments of any kind. (Art. V.)

(e) Any privileges or favors with regard to placing, loading, or discharging of vessels in ports or waters of either country, and any formalities or dispositions applying to merchant vessels and their crews or cargoes. (Art. VI.)

(f) Dues of supervision payable in a port of either country by ships of the other on cargo not discharged in that port. (Art. VII.)

(g) Duties on importation. Any merchandise legally importable into either country in its own vessels may likewise be imported in ships of the other, without paying higher duties of any kind than when imported in national ships; except advantages accorded by either country to products of its national fisheries. (Art. VIII.)

(h) All duties or formalities imposed, and all bounties, drawbacks, or other favors allowed on merchandise exported from either country in vessels of the other for any destination. (Art. IX.)

(i) Merchandise from either country warehoused in the other, to receive the same treatment while awaiting transit, reexportation, or

release for consumption, as though imported under the national flag. (Art. X.)

(j) Transit duties payable on Belgian merchandise in the Danish Antilles. (Art. XIX.)

III. Other provisions.

(a) Exemption of each other's citizens from all military service by land or sea. (Art. III.)

(b) All merchandise passing through either country is reciprocally exempt from all transit duties; except special regulations concerning gunpowder, arms, or munitions of war. (Art. XI.)

(c) Arbitration of differences respecting interpretation or execution of this treaty. (Art. XX.)

(d) Nationality of vessels under flag of either country to be recognized by the other if carrying ship's papers required by law. (Art. IV.)

IV. Exceptions.—Stipulations of this treaty do not apply to:

(a) Advantages which either country may accord to products of its national fisheries, though reciprocal most-favored-nation treatment is pledged in respect thereto. (Art. VIII.)

(b) Concessions which either country may grant to bordering States to facilitate frontier traffic. (Art. XVIII.)

(c) The commerce and navigation of Greenland, which Denmark reserves for itself. (Art. XIX.)

V. Application to colonies.—This treaty applies to the colonies and possessions of either country, except Greenland; subject to certain conditions with reference to Iceland and the Danish Antilles. (Art. XIX.)

Treaty with Ecuador.

No. 97.

Treaty of friendship, commerce, and navigation between Belgium and Ecuador.

SIGNED 5 Mar., 1887, at Brussels. Effective from 10 Apr., 1888, for five years, and thereafter terminable on 12 months' notice by either party. (Art. V.)

TEXT: French and Spanish, Martens 65: 740-2; French, B. F. S. P. 78: 947-8; Spanish, Ecuador Tr. 2: 45-8.

I. Most-favored-nation treatment is reciprocally assured in either country to the diplomatic and consular agents of the other, and to its citizens, ships, and merchandise. (Art. IV.)

II. National treatment is reciprocally stipulated respecting judicial procedure to be applied to citizens of either country participating in civil strife in the other; recourse to diplomatic intervention being permitted only in case of denial of justice or violation of established law. (Art. III.)

III. Other provisions.—Differences between the two countries to be submitted to arbitration of a friendly power. (Art. II.)

Treaty with Egypt.

No. 98.

Convention of commerce and navigation between Belgium and Egypt.

SIGNED 24 June, 1891, at Alexandria. Effective from 1 Jan., 1892, for 10 years, and thereafter terminable on one year's notice by either party. (Art. XV.)

TEXT: French, Busschère 2:196-201; B. F. S. P. 84:147-58; Martens 68:7-18.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting all privileges, favors, or immunities which either party may accord in matters concerning commerce, navigation, transit, and payment of import or export duties. Art. IV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All duties imposed by either country on importation of products of the other, from whatever place arriving. (Art. II.)

(b) Any prohibitions imposed by either country against importation of products of the other, from whatever place arriving; except sanitary measures to protect persons or cattle, or plants useful to agriculture; and except as noted below under V. (Art. II.)

(c) Any duties, charges, or prohibitions imposed by either country on exportation of any articles to the other. (Art. III.)

(d) Any facilities concerning customs regulations which Egypt may accord to the subjects, ships, navigation, and commerce of any other foreign power. (Art. XII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in respect to:

(a) Any duties or restrictions imposed on articles of whatever origin imported from any sources into either country, or exported therefrom in ships of the other. (Art. V.)

(b) Application to Belgian subjects of regulations and tariff duties on articles not included in the extensive list of Belgian products subject to a maximum duty of 10 per cent ad valorem on their importation into Egypt. (Art. VI.)

(c) Internal duties (octroi, excise, etc.) levied in either country on any of its products must not bear more heavily on imported products of the other country than on similar articles of national or other foreign production; it being understood that specified consumption duties may be levied by municipalities or communes on imported articles not produced locally. (Art. IX.)

(d) Application to Belgian subjects and vessels of Egyptian regulations concerning specified matters relating to public utilities, suppression of fraud, and public health or security. (Art. XII.)

III. National treatment is reciprocally pledged in general terms respecting all rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce and navigation, and payment of taxes or duties relating thereto. (Art. I.)

National treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to enter with their ships and cargoes all ports and places open to nationals in the other. (Art. I.)

(b) Treatment by either country of ships of the other, from whatever place arriving and whatever the origin or destination of the cargoes, in all respects; with special reference to local regulations, pilotage, and taxes or other charges levied in ports, basins, docks, roadsteads, and harbors of either country, and in general all that concerns navigation; except the coasting trade and interior navigation, as noted below under V. (Art. V.)

IV. Other provisions.

(a) Nationality of vessels to be recognized according to laws of each country. (Art. V.)

(b) Import duties payable in Egypt on numerous specified products of Belgium not to exceed 10 per cent ad valorem. (Art. VI.)

(c) Export duties levied in Egypt not to exceed 1 per cent ad valorem. (Art. VIII.)

(d) Merchandise destined for transshipment or bonding to be exempt from all import or export duties in Egypt, except when destined for use by the vessel in which transshipped, in which case the export duty of 1 per cent ad valorem applies. (Art. VIII.)

(e) Duty-free admission by Egypt of Belgian commercial travelers' samples or models, subject to customs regulations relating thereto. (Art. X.)

(f) Personal effects of Belgian consuls (as defined) are exempt in Egypt from customs examination and payment of duties. (Art. XI.)

(g) Detailed provision concerning rights and limitations of Egyptian authorities with regard to search of houses of Belgian subjects, and search or seizure of Belgian vessels in Egyptian waters. (Art. XII.)

V. Exceptions.

(a) The following articles are excluded from stipulations of this convention: Tobacco, tombac, salt, saltpeter, natron, hashish, arms, munitions, and explosive materials. (Art. II and annex.)

(b) The stipulations of Articles I to XII do not apply to:

(1) Special arrangements between Egypt and other parts of the Ottoman Empire under direct administration of the Porte, or between Egypt and Persia.

(2) Arrangements between Egypt and the Sudan respecting exchange of merchandise, native or foreign. (Art. XIII.)

(c) The provisions of Article IV (noted above under I) do not apply to:

(1) Favors which either country may accord to bordering States to facilitate frontier relations, and reductions or exemptions from customs duties applying only to specified frontiers or inhabitants of certain districts. (Art. IV, 1.)

(2) Obligations imposed on either country by engagements of a customs union. (Art. IV, 2.)

(d) The provisions of Article V (noted above under II *a* and III *b*) do not apply to the coasting trade and interior navigation of either country, which are reserved for regulation by their respective laws. (Art. V.)

Treaty with Ethiopia (Abyssinia).

No. 99.

Treaty of commerce between Belgium and Ethiopia (Abyssinia).

SIGNED 6 Sept., 1906, at Addis Abbaba. Effective from 25 June, 1908, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. II.)

TEXT: French, France Tr. I: 415-16; Clercq 19: 400-2.

Most-favored-nation treatment is reciprocally pledged in general terms to the subjects and products of either country in the other as regards any advantages which either party may accord to any other nation in matters of establishment, commerce, and customs. (Art. I.)

Treaty with France.

No. 100.

Exchange of notes between Belgium and France establishing a commercial modus vivendi.

SIGNED 15/30 Jan., 1892, at Brussels. Effective from 1 Feb., 1892, for indefinite term, subject to termination on 12 months' notice by either party.

TEXT: French, France Tr. I: 415-16; Clercq 19: 400-2.

I. Most-favored-nation treatment is reciprocally granted in matters of commerce, navigation, and customs; with special reference to duties payable in either country on products and merchandise originating in the other.

II. Other provisions.—Protection of literary property, treatment of commercial travelers, and frontier traffic in cereals are regulated by specified laws referred to.

Treaty with Germany.²⁹

No. 101.

Treaty of commerce and customs between Belgium and Germany, as amended by additional treaty of 22 June, 1904.

SIGNED 6 Dec., 1891, at Berlin. Effective from 1 Feb., 1892, until 31 Dec., 1917, and thereafter terminable on 12 months' notice by either party. (Addl. treaty of 22 June, 1904,³⁰ Art. IV.)

TEXT: German, Hdv. 1906: 1053; French and German, Martens 67: 809-50; B. F. S. P. 83: 47-66.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting all rights concerning exercise of commerce and industry in either country, and all taxes relating thereto (Art. I); with special reference to any favor, immunity, or reduction of import duties which either party may accord to any third power (Art. II).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment by either country of products of the other, whether imported for consumption, warehousing, reexportation, or transit; with special reference to payment of duties. (Art. II.)

(b) Any duties imposed by either country on exports to the other, and any favors relating to exportation. (Art. V.)

(c) Application of specified exceptional prohibitions which either country may impose against importation, exportation, or transit. (Art. VII; addl. tr.,³⁰ Art. I, 3.)

(d) Treatment by either country of merchants, manufacturers, and commercial travelers from the other; with special reference to payment of license fees. (Art. IX.)

II. National treatment is reciprocally pledged in regard to:

(a) Military contributions or requisitions in either country; and application of the laws concerning indemnities. (Art. I; addl. tr.,³⁰ Art. I, 1.)

(b) Internal duties on production or consumption, whether levied in either country by the State or by communes or corporations. Such duties must not under any pretext bear more heavily on imported products of the other country than on similar articles of domestic production. Belgian excise duties on wine and raw sugar are excepted, so long as these products are admitted into Belgium free of import duties. (Art. IV and final protocol.)

(c) Use of railways of either country by citizens of the other, with special reference to cost, speed, and manner of service. (Art. X; addl. tr.,³⁰ Art. I, 6.)

²⁹ See p. 546, note 128.

³⁰ French, B. F. S. P. 98: 465-512.

III. Other provisions.

(a) Citizens of either country are exempt in the other from all military service by land or sea. (Addl. tr.,³⁰ Art. I.)

(b) Products of either country enumerated in Tariffs A and B annexed to this treaty shall pay no other higher duties on importation into the other than those specified in these tariffs. (Art. III; addl. tr.,³⁰ Art. I, 2.)

(c) Merchandise passing to or from either country is exempt in the other from all transit duties; except special regulations concerning gunpowder and arms of war. (Art. VI.)

(d) Both countries agree not to obstruct traffic between the two countries by any prohibition against importation, exportation, or transit, except for the following reasons applying to all countries under the same conditions:

(1) Provisions and munitions of war in exceptional circumstances.

(2) Urgent reasons of public safety or of sanitary police, and measures for protection of animals or useful plants from disease or from noxious insects or parasites.

(3) Application to imported merchandise of prohibitions or restrictions imposed by internal laws on production or distribution of similar articles of domestic production. (Art. VII and addl. tr.,³⁰ Art. I, 3.)

(e) Detailed provisions concerning right of merchants, manufacturers, and commercial travelers of either country to make purchases and solicit orders in the other, with or without samples. Commercial travelers' samples are exempt from import and export duties in either country, subject to customs regulations relating thereto. (Art. IX and Annex C.)

(f) Extensive and detailed provisions designed to facilitate international railway service with reference to customs clearance. (Art. XI, Annex D.)

(g) Arbitration of disputes regarding interpretation or application of tariffs A and B annexed to this treaty, or concerning application of the most-favored-nation clause by the customs administration of either country; the court of arbitration to be constituted as described. (Art. XII A; addl. tr.,³⁰ Art. II.)

IV. Exceptions.—The provisions of this treaty do not apply to favors which either country may accord to bordering States to facilitate frontier traffic within 15 kilometers of the boundary line. (Art. VIII and addl. tr.,³⁰ Art. I, 4.)

V. Territorial application.—This treaty extends to all countries or territories which may be united with either country in a customs union. (Art. XII.)

See also Treaty of Versailles, No. 314.

³⁰ French, B. F. S. P. 98: 465-512.

Treaty with Great Britain.**No. 102.**

Provisional "modus vivendi" pending conclusion of a treaty of commerce and navigation between Belgium and Great Britain.

SIGNED 27 July, 1898. Terminable on three months' notice.

TEXT: English and French, B. F. S. P. 90:10-11; Hdb. 1912:25-6.

I. Most-favored-nation treatment is reciprocally pledged as follows:

Neither country will make any modification after 29 July, 1898, in the system actually applied to the subjects and products of the other, unless three months previous notice is given of any such change; it being understood that this engagement does not prevent either country from making such modifications in the existing system as may be made applicable to all other countries.

II. Application to British colonies.—This provisional *modus vivendi* applies in terms to the United Kingdom of Great Britain and Ireland, and has been extended to British India, Malta, Cyprus, Newfoundland, Ceylon and Lagos. (Exchanges of notes 30 Aug., 5 Nov., 25 Nov., 6 Dec., 1898, 5 Jan., 1899.³¹)

Treaty with Greece.**No. 103.**

Treaty of commerce and navigation between Belgium and Greece.

SIGNED 25 May, 1895, at Athens. Effective from 25 July, 1895, for six years, and thereafter terminable on 12 months' notice by either party. (Art. XXII.)

TEXT: French, Busschère 2:241-3; B. F. S. P. 87:847-55; Martens 71:617-23; Greek and French, Greece Tr. 1912:220-9.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting all privileges, favors, or immunities which either country may accord in matters concerning navigation and commerce. (Art. XIX.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Warehousing dues, and any formalities imposed by either country on merchandise from the other awaiting transit, reexportation, or release for consumption. (Art. XII.)

(b) All matters concerning transit through either country. (Art. XIII.)

(c) Any prohibitions established by either country against the other regarding importation, exportation, or transit, especially those resulting from state monopolies; except temporary prohibitions or restrictions deemed necessary on sanitary grounds or to prevent

³¹ English, Hdb. 1912:26-32.

propagation of epizootic diseases and destruction of crops, and except measures connected with war. (Art. XIV.)

(d) Any favors or privileges which either nation may grant in respect to its coasting trade. (Art. XV.)

(e) Import and export duties, and any favor, privilege, or tariff reduction which either country may accord in regard to importation or exportation, with special reference to duties imposed by either country on importation of products of the other. (Art. XVI and Agrt. of 1 Nov., 1904.³²)

(f) Rights accorded in either country to commercial, industrial, and financial companies and associations duly constituted in the other, with special reference to actions in courts of justice. (Art. XVII.)

II. National treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting all rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce, industry, and navigation, and all taxes or imposts relating thereto. (Art. I.)

National treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to manage their affairs in the other personally or by agents of their own selection, without being obliged to pay persons they may not wish to employ; also right to bargain freely and fix prices in buying or selling any merchandise imported or destined for exportation; on condition of conforming to the customs laws of the country. (Art. II.)

(b) All rights and privileges regarding access to courts of justice, and employment of advocates or others therein. (Art. IV.)

(c) All imposts, taxes, charges or restrictions imposed by either country on movable or immovable property belonging to citizens of the other. (Art. V.)

(d) Treatment of vessels of either country in ports of the other, from whatever place arriving and whatever their destination, with special reference to dues for tonnage, lighthouse, pilotage, quarantine, and any other charges affecting the hull of the ship, whether imposed by the State or by public officials, communes, corporations, or establishments of any kind. (Art. VII.)

(e) Any privileges or favors in regard to the placing, loading, or discharging of vessels in ports or waters of either country, and any formalities or dispositions applying to merchant vessels and their crews or cargoes. (Art. VIII.)

(f) Duties of supervision payable in a port of either country by ships of the other on cargo not discharged in that port. (Art. IX.)

(g) Any merchandise legally importable into either country in its own vessels may likewise be imported in ships of the other, with-

³² French and Greek, Greece Tr. 1912: 230-1.

out paying other or higher duties, under whatever name, than when imported in national ships; except advantages accorded by either country to products of its national fisheries. (Art. X.)

(h) All duties and formalities imposed, and all bounties, drawbacks, or other favors allowed by either country on merchandise of any kind exported in ships of the other for any destination whatever. (Art. XI.)

(i) Warehousing privileges. Merchandise from either country warehoused in the other to receive the same treatment while awaiting transit, reexportation, or release for consumption as though imported under the national flag. (Art. XII.)

III. Other provisions.

(a) Citizens of either country may dispose freely of their property in the other by will or otherwise in any manner, conformably to the laws and regulations in force, and may transfer their fortunes from either country to the other without being subject to any extraordinary tax on account of such transfer. (Art. III.)

(b) Exemption of each other's citizens from all military service by land or sea. (Art. V.)

(c) Merchandise of any kind passing to or from either country is exempt in the other from all transit dues, except special regulations concerning gunpowder and arms or munitions of war. (Art. XIII.)

(d) Arbitration of disputes concerning interpretation or execution of this treaty. (Art. XXI.)

IV. Exceptions.—Provisions of this treaty do not apply to:

(a) Advantages which either country may accord to products of its national fisheries. (Art. X.)

(b) The coasting trade of both countries is reserved for regulation by their respective laws; but reciprocal most-favored-nation treatment is pledged in respect thereto. (Art. XV.)

(c) Concessions which either country may accord exclusively to bordering States to facilitate frontier traffic. (Art. XX.)

Treaty with Honduras.

No. 104.

Treaty of friendship, commerce, and navigation between Belgium and Honduras; and declaration additional thereto.

SIGNED 25 Mar., 1909, at Guatemala. Addl. decl. signed 30 Aug., 1909.³³ Effective from 20 Aug., 1910, for six years, and thereafter terminable on 12 months' notice by either party. (Art. XXIII.)

TEXT: French, B. F. S. P. 102: 362-7; Martens 90: 500-5.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting all rights, privileges, liberties, favors, immunities, and exemptions in matters

³³ French, B. F. S. P. 102: 367; Martens 90: 506.

of commerce, industry, and navigation. (Arts. II, XIV, and XVIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Warehousing dues and formalities imposed by either country on merchandise imported in ships of the other, during period allowed by law for warehousing of goods awaiting transit, reexportation, or entrance for consumption. (Art. XI.)

(b) All matters relating to transit, with special reference to exemption of any merchandise of either country from all transit duties in the other; except special regulations concerning gunpowder, and arms or munitions of war. (Art. XII.)

(c) Neither country to obstruct commerce with the other by prohibitions or restrictions against importation, exportation, or transit; except temporary sanitary measures to prevent spread of disease or destruction of harvests, and measures incidental to war. (Art. XIII.)

(d) Any concessions which either country may grant in respect to its coasting trade. (Art. XIV.)

(e) All duties, privileges, or tariff reductions concerning imports or exports to or from either country, with special reference to duties levied by either country on importation of products of the other. (Art. XV.)

(f) Access to courts of justice for all commercial, industrial, or financial companies or associations of either nation, subject to the laws of the land. (Art. XVI.)

(g) Awarding of government works or contracts. (Art. XIX.)

(h) License fees payable in either country by commercial travelers from the other. (Art. XX.)

II. National treatment is reciprocally pledged in respect to:

(a) Right of citizens of either country to conduct their lawful business in the other personally or through brokers or other agents, including remuneration payable to persons employed, and right of buyers and sellers to fix prices of any merchandise imported or exported; subject to the laws and regulations of the country. (Art. III.)

(b) Military loans or requisitions, and indemnities relating thereto. (Art. IV.)

(c) All dues or charges on account of tonnage, light, pilotage, port, quarantine, and all other charges whatever affecting the hull of the ship, no matter by whom or how levied in ports of either country on ships of the other, from whatever place arriving and whatever their destination (Art. VI); except the coasting trade of both countries. (Art. XIV.)

(d) All privileges or favors concerning the stationing, loading, or unloading of ships in ports or waters of either country, including

all formalities and dispositions affecting merchant vessels and their crews or cargoes. (Art. VII.)

(e) All duties or charges payable by vessels of either country loading or discharging foreign cargo in different ports of the other on the same voyage (Art. VIII); but coasting trade is reserved for regulation by the laws of each country. (Art. XIV.)

(f) All articles which may be legally imported into, or exported from either country in its own vessels, may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination; subject to the same duties, charges, warehousing dues, formalities, bounties, and drawbacks, as when carried in national vessels; except advantages accorded by either country to products of its national fisheries. (Arts. IX–XI.)

III. Other provisions.

(a) Exemption of each other's citizens from all military service by land or sea. (Art. IV.)

(b) Restoration of ships, merchandise, and effects seized by pirates and found in the ports or waters of either country. (Art. XVII.)

(c) Nationality of merchant vessels under flag of either country to be determined by ship's papers required by national laws. (Art. V.)

(d) Arbitration of disputes concerning interpretation or execution of this treaty. (Art. XXII.)

IV. Exceptions.—The provisions of this treaty do not apply to:

(a) Concessions accorded by either country to bordering States to facilitate traffic in the frontier zone within fifteen kilometers of the boundary. (Addl. decl.³³)

(b) Concessions accorded by either country to another State in virtue of a customs union. (Ibid.)

(c) Imposition of supplementary duties to offset bounties on production or exportation. (Ibid.)

Most-favored-nation provisions do not apply to:

(d) Special privileges which Honduras may accord exclusively to any of the Central-American Republics. (Art. XXI.)

Treaty with Italy.

No. 105.

Treaty of commerce and navigation between Belgium and Italy.

SIGNED 11 Dec., 1882, at Rome. Effective from 1 Jan., 1883, until 1 Jan., 1892, and thereafter terminable on one year's notice by either party. (Art. XIX.)

TEXT: French, Busschère 2:258–60; Italy Tr. 9:78–87; B. F. S. P. 73:597–602; Martens 58:632–7.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below), regarding any

³³ French, B. F. S. P. 102:367; Martens 90:506.

privileges, favors, or immunities which either country may accord in matters concerning commerce and navigation. (Art. XIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Duties on importation or reexportation by land or sea levied by either country on products of the other, or on merchandise coming from warehouses of the other; also duties on exports from either country to the other by land or sea. (Art. XIII.)

(b) Any restrictions or prohibitions established by either country against the other regarding importation or exportation, except special sanitary measures or measures connected with war. (Art. XIII.)

(c) All matters concerning transit through either country. (Art. XIV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged respecting fees payable in either country by commercial travelers from the other. (Art. XV.)

III. National treatment is reciprocally pledged in general terms respecting all rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce and navigation. (Art. I.)

National treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to manage their affairs in the other, personally or by agents of their own selection, without being obliged to pay persons they have not seen fit to employ; also right to bargain freely and fix prices in buying or selling any merchandise imported or destined for exportation, on condition of conforming to the customs laws of the country. (Art. II.)

(b) All civil rights, with special reference to possession, disposal, and transmission of, or succession to, property of any kind by will or otherwise, and all imposts or taxes relating thereto. (Art. III.)

(c) All imposts, taxes, charges, or restrictions imposed by either country on movable or immovable property belonging to citizens of the other. (Art. V.)

(d) All duties levied in ports, rivers, or canals of either country on ships of the other, from whatever place arriving and whatever their destination, with special reference to duties for tonnage, port, beacons, pilotage, lighthouse, quarantine, salvage, and any other dues or charges under whatever name, whether levied for the State or for public officials, communes, or establishments of any kind. (Art. VII.)

(e) Any privileges or favors in regard to the placing, loading, or discharging of vessels in ports or waters of either country, and any formalities or dispositions applying to merchant vessels and their crews or cargoes. (Art. VIII.)

(f) All duties, charges, or customs formalities imposed, and all bounties, drawbacks, or similar favors allowed, on any objects im-

ported into or exported from either country in ships of the other, from whatever place arriving and whatever the origin or destination of the cargoes (Art. IX), except the coasting trade, which is regulated by the laws of each country. (Art. XII.)

(g) Warehousing privileges: Merchandise imported into either country in ships of the other may be warehoused and released for transit or reexportation without paying higher duties for warehousing, examination, supervision or other similar charges than when imported in national vessels. (Art. X.)

(h) Dues of supervision payable in a port of either country by ships of the other on cargo not discharged at that port. (Art. XI.)

(i) Protection of each other's citizens with regard to trade-marks and industrial designs or models. (Art. XVII.)

IV. Other provisions.

(a) Reciprocal recognition in either country of commercial, industrial, and financial companies or associations duly constituted in the other, with special reference to actions in courts of justice. (Art. IV.)

(b) Exemption of each other's citizens from all military service by land or sea. (Art. V.)

(c) Exemption of any merchandise passing to or from either country from all transit dues in the other; except prohibition of gunpowder and special authorization required for transit of arms. (Art. XIV.)

(d) Temporary duty-free admission into either country of commercial travelers' samples from the other, subject to customs formalities relating thereto. (Art. XVI.)

(e) Arbitration of disputes concerning interpretation or execution of this treaty. (Art. XX.)

(f) Restoration of ships, merchandise, and effects seized by pirates and found in the ports or waters of either country. (Art. XVIII.)

V. Exceptions.—Provisions of this treaty do not apply to the coasting trade, which is reserved for regulation by the respective laws of each country. (Art. XII.)

Treaty with Japan.

No. 106.

Exchange of notes between Belgium and Japan establishing a provisional commercial agreement.

SIGNED 8 July, 1911, at Brussels. Effective from 17 July, 1911, until a new treaty goes into effect between the two countries.

TEXT: French, B. F. S. P. 104: 822-3; Martens 91: 570-1; Japan Tr. 1918: 44-5.

Most-favored-nation treatment is reciprocally pledged in regard to commerce, navigation, and customs, on condition of reciprocity.

Treaty with Liberia.**No. 107.***Treaty of friendship, commerce, and navigation between Belgium and Liberia.*

SIGNED 1 May, 1885, at Brussels. Effective from 1 Apr., 1886, for 10 years, and thereafter terminable on 12 months' notice by either party. (Art. XIX.)

TEXT: French, Busschère 2: 274-6; English, B. F. S. P. 76: 182-8; French and English, Martens 61: 653-63.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting any favors, privileges, or immunities which either country may accord in matters of customs, commerce, and navigation. (Art. X.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All rights and privileges which either country may accord to foreigners, with special reference to right of residence and trade. (Art. II.)

(b) Expedition dues payable by vessels in either country under conditions stated. (Art. IV.)

(c) All duties or prohibitions imposed by either country on merchandise imported from the other in vessels of any nationality, or in ships of the other from any port. (Art. VI.)

(d) Exportation of products of either country by subjects or in ships of the other. (Art. VI.)

(e) Any prohibitions established in either country against the other regarding importation, exportation, or transit; except special regulations for sanitary purposes, or in view of war. (Art. XI.)

(f) Privileges and protection accorded to consular officers by either country. (Art. XVII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to license taxes payable in either country by commercial travelers from the other. (Art. XIV.)

III. National treatment is reciprocally pledged in regard to:

(a) Possession, disposal, and transmission of, or succession to, personal property of all kinds, by will or otherwise, and any deductions or taxes relating thereto. (Art. II.)

(b) Tonnage and other duties, charges or taxes levied by either country on ships of the other, and on goods imported or exported in ships of the other. (Art. III.)

(c) Dues of supervision payable in a port of either country by ships of the other on cargo not discharged at that port. (Art. V.)

(d) Duties payable in either country for bonding, and delivery for transit or reexportation of merchandise imported in ships of the other. (Art. VI.)

(e) Any charges, restrictions, taxes, or dues imposed on personal property in either country. (Art. XII.)

IV. Other provisions.

(a) Full protection for persons and property in either country, and freedom to buy and sell, without prejudice or restriction from any monopoly or exclusive privilege of sale or purchase. (Art. II.)

(b) Exemption of vessels from tonnage dues in either country under conditions stated. (Art. IV.)

(c) Import duties on articles in which the Liberian Government may traffic shall not exceed the difference between cost price and the price fixed by that Government for sale of said articles. (Art. VII.)

(d) Exemption of each other's citizens from military service by land or sea. (Art. XII.)

(e) Recognition in either country of commercial, industrial, and financial associations duly constituted in the other, with special reference to actions in courts of justice. (Art. XIII.)

(f) Temporary duty-free admission into either country of commercial travelers' samples from the other. (Art. XIV.)

(g) Exemption of any merchandise passing to or from either country from all transit dues in the other; except prohibition of gunpowder and arms of war, for which special authorization may be required. (Art. XV.)

(h) Provisions relating to shipwrecks (Art. VIII); freedom of conscience and religious belief (Art. IX); restoration of ships, goods, and chattels seized by pirates and found in ports or waters of either country (Art. XVI); arrest of seamen deserters, and statement of procedure relating thereto. (Art. XVIII.)

Treaty with Mexico.

No. 108.

Treaty of friendship, commerce, and navigation between Belgium and Mexico.

SIGNED 7 June, 1895, at Mexico. Effective from 4 June, 1896, for 10 years, and thereafter terminable on 12 months' notice by either party. (Art. XVII.)

TEXT: French, B. F. S. P. 87: 394-9; Martens 73: 69-74; Spanish, Mexico Tr. Vlg. 1: 100-9.

I. Most-favored-nation treatment is reciprocally pledged in general terms in all that concerns local taxes, customs duties, formalities, brokerage, and everything relating to commerce. (Art. III.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All rights, liberties, and exemptions concerning access, with ships and cargoes, to all ports, rivers, and places open to foreigners in either country; right of residence and establishment, and right to occupy houses, shops, and other premises for purposes of commerce,

by wholesale or retail; subject to the laws and regulations in force. (Art. II.)

(b) Treatment by either country of imported products of the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of duties, whether general, municipal, or local. (Art. III.)

(c) Any duties imposed by either country on exportation of any merchandise to the other. (Art. III.)

(d) Any prohibitions or restrictions imposed by either country against the other regarding importation, exportation, or transit; except sanitary measures to prevent propagation of epizootic diseases or destruction of crops, and measures connected with war. (Art. III.)

(e) Exemption of merchandise of any kind passing to or from either country from all transit duties in the other. (Art. III.)

(f) Treatment by either country of merchants, manufacturers, and their commercial travelers from the other. (Art. IV.)

(g) Treatment in either country of literary and artistic property of citizens of the other. (Art. V.)

(h) All duties for tonnage, port, lighthouse, pilotage, quarantine, and other charges affecting the hull of the ship, imposed on vessels of either country entering ports of the other. (Art. VII.)

(i) All duties or charges payable by vessels of either country loading or discharging foreign cargoes at different ports of the other on the same voyage; but coasting trade is expressly excepted. (Art. VIII.)

(j) Rights which commercial, industrial, or financial companies and associations duly constituted in either country are permitted to exercise under laws of the other; with special reference to actions in courts of justice. (Art. XI.)

(k) All that concerns acquisition or possession of immovable property in either country. (Art. XII.)

(l) Application of laws of either country to resident citizens of the other, with special reference to laws determining rights and obligations of foreigners. (Art. XII.)

(m) All charges or imposts levied by either country on real or personal property belonging to citizens of the other. (Art. XIII.)

(n) All rights, privileges, favors, immunities, or exemptions which either country may accord to diplomatic or consular agents. (Arts. XV, XVI.)

II. National treatment is reciprocally pledged in respect to:

(a) All rights concerning protection of industrial property in either country. (Art. V.)

(b) All rights, privileges, and conditions concerning protection in either country of persons and property of citizens of the other, in-

cluding access to courts of justice and employment of advocates or others therein. (Art. X.)

(e) Acquisition, possession, and transmission of personal property in any manner whatever, and all duties or charges of whatever kind relating thereto. (Art. XII.)

(d) Legal forms and procedure to be applied in either country to citizens of the other regarding succession to property of all kinds, real or personal. (Art. XII.)

(e) All requisitions, forced loans, or contributions imposed by either country on landed property for military purposes. (Art. XIII.)

III. Other provisions.

(a) Each country reserves the right to prohibit transit of certain articles through its territory, and to require special authorization for transit of arms and munitions of war. (Art. III.)

(b) Duty-free admission of commercial travelers' samples under conditions specified. (Art. IV.)

(c) Nationality of merchant vessels under flag of either nation to be recognized if carrying ship's papers required by law. (Art. VI.)

(d) Exemption of vessels of either nation from tonnage and clearance dues under conditions stated. (Art. IX.)

(e) Exemption of each other's citizens from all personal military service by land or sea, and from all requisitions, contributions, or forced loans, except those imposed upon landed property. (Art. XIII.)

(f) Neither country to be responsible for damages, oppressions, or exactions suffered by citizens of the other during insurrection or civil war, from insurgents or wild hordes not under control of the Government, except in case of neglect on the part of authorities concerned. (Art. XV.)

Treaty with Morocco.

No. 109.

Treaty of friendship, commerce, and navigation between Belgium and Morocco.

SIGNED 4 Jan., 1862, at Tangier. Ratifications exchanged there 18 May, 1862. No time limit stated.

TEXT: French, Belgium Tr. 1900: 242-3; B. F. S. P. 100: 711-2; Card: 71-2.

Most-favored-nation treatment is reciprocally pledged in general terms to the diplomatic and consular agents and to the subjects, commerce, and vessels of either country as regards any advantages which either party may accord to any other nation. (Art. 2.)

Treaty with the Netherlands.

No. 110.

Convention of commerce and navigation between Belgium and the Netherlands.

SIGNED 12 May 1863. Duration indefinite. Terminable on 12 months' notice from either party. (Art. IV.)

TEXT: French, Busschère 2:319-20; Lagemans 5:199-200; B. F. S. P., 53:208-9.

I. Most-favored-nation treatment is reciprocally assured (subject to exceptions noted below) to the subjects and the flag of either country in the other, and to merchandise originating in either and destined for the other. (Arts. I, II.)

II. Other provisions.

Schedule of duties to be levied in Belgium on specified articles imported from or exported to the Netherlands. (Art. III.)

III. Exceptions.—The provisions of this treaty noted above under I do not apply to:

(a) Special favors which Dutch East Indian colonies may accord to Asiatic nations of the Eastern Archipelago for importation of their products or for their exportation. (Art. I.)

(b) Special stipulations of previous treaties cited regarding commodities named. (Art. II.)

(c) Belgian subjects in Dutch colonies, who receive the treatment accorded to subjects of the most-favored non-Asiatic power. (Addl. conv. of 7 Dec., 1865,³⁴ Art. I.)

Treaty with Norway.

No. 111.

Treaty of commerce and navigation between Belgium and Norway.

SIGNED 27 June, 1910, at Brussels. Ratifications exchanged there 25 Sept., 1911. Effective from 5 Oct., 1911 for 10 years; and thereafter terminable on one year's notice by either party. (Art. XII.)

TEXT: French, B. F. S. P. 103:378-83; Norwegian, Norway Tr. 1914:34-9.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting all rights or favors in matters of commerce and industry, and any contributions, restrictions, or obligations, general or local, relating thereto (Art. I); also all privileges, favors, or immunities which either country may accord in matters concerning navigation and commerce (Art. XVIII).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country in the other (on condition of reciprocity) to acquire, possess, and dispose of, or succeed to, property of any kind, by will or otherwise; and all charges, restrictions, taxes, or imposts relating thereto. (Art. II.)

³⁴ French, Lagemans 5:401-2.

(b) Any favors or privileges which either nation may accord in respect to its coasting trade. (Art. X.)

(c) Warehousing dues, and any formalities imposed by either country on merchandise from the other while awaiting transit, re-exportation, or release for consumption. (Art. XI.)

(d) All matters concerning transit through either country. (Art. XII.)

(e) Any prohibitions established by either country against the other respecting importation, exportation, or transit; except temporary prohibitions or restrictions deemed necessary on sanitary grounds, or to prevent propagation of epizootic diseases and destruction of crops, and except measures connected with war. (Art. XIII.)

(f) All import duties levied by either country on products of the other, imports from or exports to the other, and any duties, favors, privileges, or tariff reductions regarding importation or exportation. (Art. XIV.)

(g) Rights which commercial, industrial, or financial companies and associations duly constituted in either country may exercise in the other, with special reference to actions in courts of justice. (Art. XVI.)

(h) Treatment by either country of commercial travelers from the other, including (on condition of reciprocity) exemption from license tax. (Art. XVII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged respecting internal duties on production or consumption whether imposed by the State, or by municipalities or other corporations in either country. These duties must not bear more heavily on products of the other country than on similar articles of native or other foreign production; it being understood that a special internal duty may be levied in Norway on Belgian grain imported for malting, and on Belgian potatoes imported for industrial use, the same as on grain and potatoes from other foreign countries; and further that this stipulation does not concern import duties or taxes, nor excise duties on merchandise exempt from import duties or taxes. (Art. XV.)

III. National treatment is reciprocally pledged in respect to:

(a) Liability of citizens of either country in the other for military contributions or requisitions, in peace or war; also right to indemnities established by laws of either country in favor of its nationals. (Art. I.)

(b) Treatment of vessels of either nation in ports of the other, in every respect, from whatever place arriving and whatever their destination; with special reference to duties for tonnage, lighthouse, pilotage, port, towage, quarantine, and any other charges affecting

the hull of the ship, whether levied by the State or by public officials, communes, corporations, or establishments of any kind. (Art. IV.)

(c) Any privileges or favors in regard to placing, loading, or unloading of vessels in ports or waters of either country, and all formalities or dispositions applying to merchant vessels and their crews or cargoes. (Art. VI.)

(d) Dues of supervision payable in a port of either country by ships of the other on cargo not discharged at that port. (Art. VII.)

(e) Importation in vessels of either nation. Merchandise of any kind legally importable into either country in its own vessels may likewise be imported in ships of the other, without paying other or higher duties of any kind than when imported in national ships; except products of national fisheries, as noted below. (Art. VIII.)

(f) All export duties or formalities imposed, and all bounties, drawbacks, or other favors allowed, by either country on merchandise of any kind exported in ships of the other for any destination. (Art. IX.)

(g) Warehousing privileges. Merchandise from either country warehoused in the other, to receive the same treatment while awaiting transit, reexportation, or release for consumption as though imported under the national flag; with special reference to formalities and warehousing dues. (Art. XI.)

III. Other provisions.

(a) Exemption of each other's citizens from all military service by land or sea. (Art. I.)

(b) Exemption of vessels from tonnage and clearance duties in either country, under conditions stated. (Art. V.)

(c) Merchandise of any kind passing through either country is reciprocally exempt from all transit dues, except special regulations concerning gunpowder, and arms or munitions of war. (Art. XII.)

(d) Arbitration of differences concerning interpretation or application of this treaty, and statement of procedure relating thereto. (Art. XX.)

IV. Exceptions.—Provisions of this treaty do not apply to:

(a) Advantages accorded by either country to products of its national fisheries. (Art. VIII.)

(b) The coasting trade from port to port in either country, which is regulated by their respective laws. (Art. X.)

(c) Special concessions, which Norway may accord to Sweden, or which either country may accord to bordering States to facilitate frontier relations. (Art. XIX.)

Most-favored-nation provisions do not apply to:

(d) Advantages resulting from a customs union of either nation with any third power.

(e) Imposition of supplementary duties to offset bounties on production or exportation. (Art. XIX.)

Treaty with Paraguay.**No. 112.***Convention of commerce and navigation between Belgium and Paraguay.*

SIGNED 15 Feb., 1894, at Asuncion. Ratifications exchanged there 8 Dec., 1894. Duration indefinite, subject to termination on 12 months' notice by either party. (Art. II.)

TEXT: French, Belgium Tr. 1900: 284; B. F. S. P. 86: 520-1; Martens 71: 603.

Most-favored-nation treatment is reciprocally pledged in general terms with reference to:

(a) All matters relating to navigation, importation, exportation, or transit. (Art. I.)

(b) All that concerns commercial operations, tariffs, complementary taxes, and accessory customs duties. (Art. I.)

(c) All civil rights, and all advantages, privileges, and exemptions concerning exercise of commerce and industries, and payment of imposts, taxes, and fees. (Ibid.)

Treaty with Persia.**No. 113.***Treaty of friendship and commerce between Belgium and Persia.*

SIGNED 31 July, 1857, at Brussels. Effective from 22 Mar., 1858, for 10 years, and thereafter terminable on one year's notice by either party. (Art. IX.)

TEXT: French, Busschère 2: 380-1; B. F. S. P. 47: 622-5.

I. Most-favored-nation treatment is reciprocally pledged in respect to:

(a) Reception and treatment by either country of ambassadors or ministers from the other, and all prerogatives or immunities relating thereto. (Art. II.)

(b) Protection and treatment by either country of subjects of the other in all respects, with special reference to travelers, merchants, and manufacturers. (Art. III.)

(c) Duties levied by either country on ships of the other, and on merchandise imported or exported by subjects of the other, whether by land or sea. (Art. IV.)

(d) Manner of trial and judgment of nationals of either country charged with offenses in the other. (Art. V.)

(e) Procedure concerning succession to property left by subjects of either country dying in the other. (Art. VI.)

(f) All honors, privileges, and immunities accorded to consuls in either country. (Art. VII.)

II. Other provisions.

(a) Right of subjects of either country to import or export any merchandise to or from the other by land or sea, and to buy, sell, or transport the same throughout the territories of either nation; also right to rent houses, shops, and stores for purposes of residence and commerce; subject in matters of internal commerce to the laws of the country. (Art. III.)

(b) Disputes arising in Persia between Belgians to be settled by Belgian consuls according to Belgian law. Disputes between Belgians and Persians to be tried by a Persian tribunal in the place where a Belgian consul or agent resides, and in the presence of his employee. Disputes arising in Persia between Belgians and other foreigners to be settled by their respective consular authorities. (Art. V.)

(c) Right of either country to appoint three consuls in the other to reside at places named. (Art. VII.)

Treaty with Portugal.

No. 114.

Declaration for provisional regulation of commercial relations between Belgium and Portugal.

SIGNED 11 Dec., 1897, at Lisbon.

TEXT: French, Busschère 17: 788-94; B. F. S. P., 89: 1015-16; French and Portuguese (transl.), Portugal Tr. 10: 353-6.

Most-favored-nation treatment is reciprocally pledged respecting import duties to be levied by either country on specified products of the other (Art. I); except concessions which Portugal may grant exclusively to Spain or Brazil. (Art. III.)

Most-favored-nation treatment is further assured to Portuguese wines of specified alcoholic strength with regard to excise duties in Belgium. (Art. II.)

Treaty with Rumania.

No. 115.

Commercial convention between Belgium and Rumania.

SIGNED 5 June, 1906, at Bucharest. Ratifications exchanged there 12 Jan., 1907. Terminable on 12 months' notice by either party. (Art. VI.)

TEXT: French, B. F. S. P. 99: 871-3; Martens 85: 266-8.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting all favors, privileges, immunities, tariff reductions, and other advantages which either country may accord to the subjects, vessels, or products of any third power; subject to exceptions noted below, and to the laws, ordinances, and special regulations applicable to all foreigners in either country in matters of commerce, industry, police, and general security. (Arts. I, II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment by either country of imported products of the other, whether destined for consumption, warehousing, reexportation, or transit; with special reference to payment of duties or dues. (Art. II.)

(b) Export duties imposed by either country on objects exported to the other. (Art. II.)

(c) All matters relating to transit. (Art. II.)

II. National treatment is reciprocally pledged regarding military contributions, requisitions, or indemnities, in peace or war. (Art. V.)

III. Other provisions.

(a) Belgian products listed in the schedule annexed to this convention to pay in Rumania no higher duties than specified in said schedule. (Art. III.)

(b) Any merchandise passing to or from either country shall be exempt in the other from all transit dues. (Art. II.)

(c) Citizens of either country are exempt in the other from all military service by land or sea. (Art. V.)

IV. Exceptions.—Most-favored-nation stipulations do not apply to:

(a) Advantages resulting from a customs union. (Art. IV.)

(b) Supplementary taxes to offset bounties on production or exportation. (Ibid.)

Treaty with Russia.³⁵

No. 116.

Treaty of commerce and navigation between Belgium and Russia.

SIGNED 9 June, 1858, at St. Petersburg. Terminable on one year's notice by either party. (Art. XXII.) Terminated 25 Oct., 1918, by notice from Russia given 12 months before. (Bd. Tr. J. 17 Jan., 1918: 81.)

TEXT: French, Busschère 2: 397-400; B. F. S. P. 48: 976-84.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms (subject to exceptions noted below), respecting any special favor which either country may accord to other nations in matters of commerce and navigation. (Art. XIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of vessels of either country to engage in commerce and navigation in all ports open to foreign commerce in the other. (Art. I.)

(b) Treatment of crews of vessels of either country in ports of the other. (Art. III.)

³⁵ See p. 757, note 195.

(c) All duties imposed by either country on importation of products of the other. (Art. VII.)

(d) Any restrictions or prohibitions imposed on importation or exportation of products of either country into or from the other. (Art. VII.)

(e) Transit through either country of objects of any kind passing to or from the other. (Art. XI.)

(f) All privileges, powers, and exemptions accorded to consular officers by either country. (Art. XVII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to application of laws and commercial usages in either country to consular agents of the other engaging in commerce. (Art. XVII.)

III. National treatment is reciprocally pledged in general terms respecting all privileges, immunities, and favors in matters of commerce and industry, subject to special laws and regulations of either country concerning commerce, industry, and police. (Art. I.)

National treatment is further reciprocally pledged in regard to:

(a) Protection and security in either country for citizens of the other and their property. (Art. I.)

(b) All taxes, imposts, or obligations of any kind imposed on citizens of either country hiring or possessing houses, stores, shops, and premises in cities and ports of the other. (Art. I.)

(c) Dues for tonnage, flag, port, beaconage, pilotage, anchorage, towage, lighthouse, quarantine, salvage, brokerage, warehousing, and any other dues or charges under whatever name, levied in ports of either country on ships of the other, from whatever place arriving and whatever their destination, whether levied for the Government or for public officials, communes, or establishments of any kind. (Art. II.)

(d) Any privileges or favors concerning the stationing, loading, or discharging of vessels in ports or waters of either country, and all formalities or dispositions applying to merchant ships and their cargoes. (Art. III.)

(e) Importation and exportation. Any objects of commerce which may be legally imported into or exported from either country in its own vessels, whether imported for consumption, transit, warehousing, or reexportation, may likewise be imported, exported, or re-exported in ships of the other for any destination, without paying other or higher dues or charges of any kind than when carried in national ships. (Arts. IV and VI.)

(f) Importation in vessels of either country. Products of any kind, whatever their origin and from whatever place arriving, imported into either country in ships of the other shall pay no other or higher import duties or other charges, and shall enjoy the same

reductions and favors of any kind, as when imported in national ships. (Art. V.) Nor shall any priority or preference of any kind be accorded by either country, directly or indirectly, for purchase of any objects of commerce lawfully imported, whether carried in vessels of either country. (Art. XII.)

(g) All privileges accorded in territorial waters of either country to vessels not intending to enter port; or, having entered, not desiring to discharge all or part of their cargo. (Art. XIV.)

(h) Treatment of vessels of either country seeking refuge in ports of the other from damage or shipwreck, with special reference to payment of dues (Art. XVI); including expenses for salvage and quarantine (Art. XIX).

IV. Other provisions.

(a) Nationality of vessels to be recognized in accordance with ships' papers issued by the competent authorities under laws of each country. (Art. X.)

(b) Exemption of vessels from tonnage and clearance dues in ports of either country, under conditions stated. (Art. XIV.)

(c) Assistance to be given by local authorities in either country to consuls of the other with reference to salvage operations in case of shipwreck (Art. XIX); and for recovery of seamen deserters (Art. XX).

V. Exceptions.

(a) This treaty shall not be deemed to concede the following exemptions, immunities, and privileges:

(1) Special concessions concerning commercial relations of Belgium with France, or of Russia with Sweden and Norway, which were granted in consideration of equivalent advantages, and which may be renewed in future. (Separate Art. I.)

(2) Right of either country to exempt newly built vessels of native construction and owned by its nationals from navigation dues during the first three years. (Separate Art. II, 1.)

(3) Exemptions or reductions of duties granted to inhabitants of the Province of Archangel for importation of certain furs, and of dried or salted fish, or exportation of grain, ropes and cordage, tar, and ravendouc. (Ibid., 2.)

(4) Privileges of the Russo-American Company. (Ibid., 3.)

(5) Immunities granted in either country to pleasure yachts. (Ibid., 4.)

(b) Articles I to VII (noted above under I *a-d* and III *a-f*) of this treaty do not apply to:

(1) The coasting trade, which each country reserves to itself exclusively. (Art. VIII.)

(2) Special privileges which either country may accord to its own vessels regarding importation of salt, and of products of the national fisheries. (Art. IX.)

VI. Territorial application.—The stipulations of this treaty were made applicable to all merchant vessels navigating under the Russian flag, including those of Finland, which is declared an integral part of the Russian Empire. (Art. XXI.)

Treaty with Salvador.

No. 117.

Convention for provisional regulation of commercial relations between Belgium and Salvador.

SIGNED 21 Mar. 1906, at Guatemala. Ratifications exchanged there 27 Mar. 1907. Effective from 27 Apr. 1907, subject to termination on 12 months' notice by either party. (Art. III.)

TEXT: French, B. F. S. P. 99: 870-1; Martens 86: 330; Spanish, Salvador Pact. Int. 1: 24-7.

I. Most-favored-nation treatment of each other's subjects and products is reciprocally pledged in general terms with reference to matters of commerce, navigation, and customs; except special prerogatives which Salvador may accord by treaty to the other Central American Republics. (Art. I.)

II. Other provisions.—Certificates of origin required for admission of merchandise to preferential treatment in either country, to be viséed by the respective consuls free of consular fees. (Art. II.)

Treaty with the Serb-Croat-Slovene State.³⁰

No. 118.

Commercial treaty between Belgium and Serbia.

SIGNED 24 Apr. 1907, at Belgrade. Effective from 13 Jan. 1908 until 31 Dec. 1917, and thereafter until terminated by one year's notice from either party. (Art. XV.)

TEXT: French, Busschère 20: 628-41; B. F. S. P. 100: 712-19; Martens 86: 778-85.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting all rights, privileges, immunities, favors, and exemptions which either country may grant to citizens of any other country; subject to special laws and regulations applying to all foreigners in matters of commerce, industry, and police. (Art. II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

³⁰ See p. 771, note 197.

(a) Acquisition, possession, and disposal of, or succession to, movable or immovable property of any kind, by will or otherwise, in any lawful manner. (Art. III.)

(b) Rights which commercial, industrial, or financial companies and associations of either country may exercise in the other. (Art. V.)

(c) Exceptional prohibitions which either country may impose on importation, exportation, or transit (Art. VI), as noted below under IV b.

(d) Treatment by either country of products of the other, whether imported for consumption, warehousing, reexportation, or transit; with special reference to imposition of duties, and any favors, immunities, or reductions of import duties which either country may accord to any third power (Art. VII), except as noted below under V.

(e) Treatment given by either country to merchandise originating in the other in all matters concerning transportation by railways, and use of roads, highways, canals, locks, ferries, bridges, ports, and landing places. (Art. VII.)

(f) Any duties imposed by either country on products exported to the other, and any favors relating to exportation. (Art. X.)

(g) All matters concerning transit through either country. (Art. XI.)

(h) Treatment by either country of merchants, manufacturers, and commercial travelers from the other. (Art. XIII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged regarding internal duties on production or consumption, whether levied by the State, by communes, or corporations in either country. Such duties must not bear more heavily on imported products of the other country than on similar articles of native or other foreign production. (Art. XIX.)

III. National treatment is reciprocally pledged in regard to:

(a) All rights concerning exercise of commerce and industry in either country, and all imposts or taxes relating thereto; subject to special laws and regulations applying to all foreigners in matters of commerce, industry, and police. (Art. II.)

(b) All taxes, imposts, or charges under whatever name imposed by either country on acquisition, possession, and disposal of, or succession to, property of all kinds, by will or otherwise, including duties payable on exportation of proceeds if sold. (Art. III.)

(c) Military contributions or requisitions imposed by either country in peace or war, and all indemnities relating thereto as provided by law. (Art. IV.)

(d) Treatment of subjects of either country proceeding to markets or fairs in the other to ply their trades or sell their products, with special reference to taxes incidental thereto; it being understood that

this provision does not concern import duties on merchandise destined for markets or fairs. (Art. XIII.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all military service, and from obligation to accept judicial, administrative, or municipal office, except that of guardian. (Art. IV.)

(b) Both countries agree not to obstruct their commercial relations by any prohibition against importation, exportation, or transit, except for the following reasons applying to all countries under the same conditions:

(1) Provisions of war in exceptional circumstances.

(2) Considerations of public safety.

(3) Sanitary measures, or to protect animals and plants from diseases, insects, or noxious parasites.

(4) Execution of internal laws prohibiting or restricting production, transportation, sale, or consumption of certain articles. (Art. VI.)

(c) Products of either country enumerated in tariffs A and B annexed to this treaty shall pay on importation into the other no higher duties than those fixed by these tariffs. (Art. VIII.)

(d) Products of either country imported into the other and destined for storage or transit are exempt from all internal duties, except for protection and storage. (Art. IX.)

(e) Merchandise of any kind passing to or from either country by a commercial route open to transit is exempt in the other from all transit duties, whether going straight through, or unloaded, stored, and reloaded; except special regulations concerning gunpowder and munitions of war. (Art. XI.)

(f) Exemption of commercial travelers' samples from import and export duties, in either country, subject to customs regulations relating thereto. (Art. XIII and Annex C.)

(g) Arbitration of disputes concerning interpretation or application of this treaty, and statement of procedure relating thereto. (Art. XIV and final protocol.)

V. Exceptions.—Stipulations of this treaty do not apply to:

(a) Concessions accorded to bordering States to facilitate frontier traffic within 15 kilometers of the boundary line.

(b) Concessions which either country may accord in virtue of a customs union.

(c) Supplementary duties to offset bounties on production or exportation. (Art. XII.)

Treaty with Siam.

No. 119.

Treaty of friendship and commerce between Belgium and Siam.

SIGNED 29 Aug., 1868, at London. Effective from 1 Jan., 1869, subject to revision after 12 years on one year's notice from either party. (Arts. XXV, XXVI.)

TEXT: English (authentic), B. F. S. P. 59: 405-16; French, Busschère 2: 406-12.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting free and equal participation in all privileges conceded by either nation to the Government, subjects, or citizens, or to the ships and goods of any other country. (Art. XXIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Freedom of commerce and navigation in any part of either country where trade and navigation are allowed. (Art. I.)

(b) All privileges, immunities, powers, and exemptions accorded to consular officers in either country. (Art. II.)

(c) Taxation of landed property of Belgian subjects in Siam. (Art. VIII.)

II. National or most-favored-nation treatment (optional) is pledged to Belgian vessels respecting all privileges and immunities which may be granted to Siamese or any other vessels. (Art. XVIII.)

III. Other provisions.

(a) Protection of persons and property of subjects of either country in territories of the other. (Art. I.)

(b) Right of Belgian subjects to free exercise of their religion, and right to build churches. (Art. III.)

(c) Belgian subjects wishing to reside in Siam must be registered at the Belgian consulate in the manner described. (Art. IV.)

(d) Right of Belgian subjects to reside in Siam within boundaries named (and beyond these limits by special permission); also to trade freely and securely in all parts of Siam without interference from any monopoly or exclusive privilege of purchase or sale. (Art. V.)

(e) Right of Belgian subjects to buy, sell, lease, or rent lands and plantations in Siam, and to rent, buy, or build houses within boundaries named, and subject to conditions stated; also to engage in mining in any part of Siam, and any kind of manufacturing not contrary to law. (Art. VIII.)

(f) Duties payable in Siam on merchandise imported in Belgian vessels not to exceed 3 per cent ad valorem, (Art. XIX), which shall never be increased (Art. XXI.) Upon payment of specified import and export duties, Belgian subjects may freely import into or export from Siam to or from any foreign port every kind of

merchandise, except specified articles subject to restrictions named. (Art. XXI.)

(g) Detailed and extensive provisions relating to functions of Belgian consuls (Art. II); employment of Siamese subjects (Art. VI); passports (Art. VII); settlement of disputes between Belgian and Siamese subjects (Arts. IX, X); piracy, or robbery on shore (Art. XI); arrest of criminals, fugitives, sailors, etc. (Art. XII); bankruptcy (Art. XIII); recovery of debts (Art. XIV); disposal of property left by subjects of either country dying in the other (Art. XV); assistance to ships in distress (Art. XVII); and arbitration of disputes between the two countries (Art. XXIV).

(h) Commercial regulations for the conduct of Belgian trade in Siam. (Annexed.)

(i) Tariff schedules of import and export duties. (Annexed.)

Treaty with Sweden.

No. 120.

Treaty of commerce and navigation between Belgium and Sweden.

SIGNED 11 June, 1895, at Brussels. Effective from 27 June, 1895, for two years, and thereafter until terminated by 12 months' notice from either party. (Art. XXI.)

TEXT: French, Busschère 2:415-7; B. F. S. P. 87:493-98; Martens 71:603-7; Sweden Tr. 1910:567-71.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting all rights, privileges, liberties, favors, immunities, and exemptions which either country may accord in matters of commerce, industry, and navigation. (Arts. I and XVII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All import duties imposed by either country on products of the other; and any favors, privileges, duties, or reductions of duties on importation or exportation. (Art. XIV.)

(b) All matters concerning transit through either country. (Art. XI.)

(c) Any prohibitions established by either country against the other concerning importation, exportation, or transit; except temporary prohibitions or restrictions deemed necessary on sanitary grounds, or to prevent spread of epizootic diseases or destruction of harvests, and except measures connected with war. (Art. XII.)

(d) Any favors or privileges which either nation may grant in respect to its coasting trade. (Art. XIII.)

(e) All rights accorded by either country to industrial, commercial, financial, and other companies and associations duly constituted in the other; with special reference to actions in courts of justice. (Art. XV.)

(f) Treatment in either country of commercial travelers from the other regarding payment of license fees. (Art. XVIII.)

(g) Warehousing dues, and any formalities imposed by either country on merchandise from the other awaiting transit, reexportation, or release for consumption. (Art. X.)

II. National treatment is reciprocally pledged in respect to:

(a) Right of citizens of either country to manage their affairs in the other personally or by agents of their own choosing, without being obliged to pay persons they have not seen fit to employ; also right to bargain freely and fix prices of merchandise in buying or selling, subject to the laws and regulations in force. (Art. II.)

(b) All taxes, imposts, charges, or restrictions imposed by either country on real or personal property belonging to citizens of the other. (Art. III.)

(c) Treatment by either country of ships of the other, in every respect, from whatever place arriving and whatever the destination, including all dues for tonnage, lighthouse, pilotage, port, quarantine, and any other charges affecting the hull of the ship, whether imposed by the State or by public officials, communes, corporations, or establishments of any kind. (Art. V.)

(d) All privileges or favors in regard to the stationing, loading, and unloading of vessels in ports and waters of either nation, including all formalities and arrangements applying to merchant vessels and their crews or cargoes. (Art. VI.)

(e) Duties of supervision payable in a port of either country by ships of the other on cargo not discharged at that port. (Art. VII.)

(f) Importation in vessels of either country. Any merchandise which may be legally imported into either country in its own vessels may likewise be imported in ships of the other without paying other or higher duties than when imported in national vessels; except products of national fisheries, as noted below. (Art. VIII.)

(g) All export duties or formalities imposed, and all bounties, drawbacks, or other favors allowed, by either country in merchandise of any kind exported in ships of the other, for any destination whatever. (Art. IX.)

(h) Warehousing privileges. Merchandise from either country warehoused in the other to receive the same treatment while awaiting reexportation, transit, or release for consumption as though imported under the national flag. (Art. X.)

III. Other provisions.

(a) Exemption of each other's citizens from all military service by land or sea. (Art. III.)

(b) Merchandise of any kind passing through either country is reciprocally exempt from all transit dues except special regulations concerning gun powder and arms or munitions of war. (Art. XI.)

(c) Vessels of either nation may load or discharge cargo at different ports of the other on the same voyage on condition of conforming to the laws and regulations of the country (Art. VII); but coasting trade is excepted (Art. XIII).

(d) In case Belgian commercial travelers should be exempt from all license fees in Sweden, the same exemption will be granted by Belgium to commercial travelers from Sweden. (Art. XVIII.)

(e) Arbitration of disputes regarding interpretation or execution of this treaty. (Art. XX.)

V. Exceptions.—The stipulations of this treaty do not apply to:

(a) Advantages accorded by either country to its national fisheries. (Art. VIII.)

(b) The coasting trade of both countries. (Art. XIII.)

(c) Concessions which either country may accord exclusively to bordering States to facilitate frontier traffic. (Art. XIX.)

(d) Concessions which may be accorded by Sweden to Norway. (Art. XIX.)

Treaty with Switzerland.

No. 121.

Treaty of commerce between Belgium and Switzerland.

SIGNED 3 July, 1889, at Berne. Effective from 29 Dec., 1889, until 1 Feb., 1892; and thereafter terminable on one year's notice by either party, subject to modification at any time by common consent, as experience may suggest. (Art. XIII.)

TEXT: French, Busschère 2: 419–20; B. F. S. P. 81: 251–3; French and German, Martens 66: 551–7.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting any favors concerning establishment, taxes, commerce, or customs which either country may accord to any third power. (Art. VII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Any duties imposed by either country on importation, warehousing, or exportation of products of the other. (Art. VII.)

(b) All matters concerning transit through either country. (Art. VIII.)

(c) Any prohibitions established by either country against the other regarding importation, exportation, or transit; except temporary prohibitions or restrictions deemed necessary on sanitary grounds to prevent propagation of epizootic diseases or destruction of crops, and except measures connected with war. (Art. IX.)

II. National treatment is reciprocally pledged in general terms regarding all rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce and navigation. (Art. I.)

National treatment is further reciprocally pledged in regard to:

(a) Excise or consumption duties levied in either country. These must not bear more heavily on merchandise originating in the other than on similar articles of native production (Art. III); including consumption and octroi duties levied by Swiss cantons or communes (Art. IV).

(b) Treatment by either country of commercial travelers from the other respecting licenses subject in Belgium to option named. (Art. V.)

III. Other provisions.

(a) Recognition by either country of commercial, industrial, and financial companies or associations duly constituted in the other, with special reference to actions in courts of justice. (Art. II.)

(b) Temporary duty-free admission into either country of commercial travelers' samples from the other, subject to customs formalities relating thereto. (Art. VI.)

(c) Exemption of merchandise from all transit duties in either country, except prohibition of, or special authorization for transit of arms and munitions of war. (Art. VIII.)

(d) Detailed provisions concerning customs declarations in either country. Arts. X-XII.)

Treaty with Turkey.

No. 122.

Treaty of friendship, commerce, and navigation between Belgium and Turkey.

SIGNED 3 Aug., 1838, at Balta-Liman. Duration perpetual. (Art. XVI.)

TEXT: French, Belgium Tr. 1900:398-402; Busschère 2:425-6; B. F. S. P. 26:1222-7.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all advantages and privileges which either country may accord to merchants and other subjects of any third power; with special reference to duties and other imposts payable by Belgians in Turkey. (Art. III.)

Most-favored-nation treatment is further pledged in regard to:

(a) Customs, port, and other dues imposed on Belgian vessels and their cargoes in Turkish ports, and search of Belgian ships by Turkish customs officers and port authorities. (Art. XI.)

(b) Right of vessels of either country to import or export all kinds of products and merchandise into or from the other; except:

(1) Special privileges and advantages which Belgium may accord to her national fisheries.

(2) Special and exclusive privileges reserved for Belgian vessels with regard to her commerce in salt. (Art. XI.)

(c) Application of the coasting trade regulations of either country to ships of the other. (Art. XI.)

(d) Any dues payable by vessels of either country entering ports of the other without landing cargo. (Art. XII.)

(e) All duties, imposts, or charges affecting the hull of the ship payable by vessels of either country in ports of the other. (Art. XIII.)

II. Other provisions.

(a) Right of subjects of either country to rent houses and stores in the other, and to travel and trade in all the possessions of either country, by land or sea. (Art. II.)

(b) Right of Belgian subjects to employ brokers of any nationality or religion in Turkey. (Art. V.)

(c) Right of either country to appoint consular officers in the other, who shall enjoy all distinction due to their office. (Art. VI.)

(d) Property of subjects of either country dying in the other shall be delivered to the respective diplomatic or consular representatives. (Art. VII.)

(e) Disputes between Belgians and Turks shall not be heard or judged, except in presence of the Belgian dragoman. Criminal cases to be referred to the Belgian diplomatic or consular representative. (Art. VIII.)

(f) Right of Belgian merchant ships to navigate the Black Sea and any other seas, waters, ports, or harbors of the Ottoman Empire, carrying lawful merchandise of any kind. (Art. X.)

(g) Owners or masters of merchant vessels can not be compelled to transport troops, munitions, or other objects of war. (Art. XIV.)

(h) Assistance to be given to vessels of either country seeking refuge in ports of the other from damage or shipwreck, or from pirates and corsairs. (Art. XV.)

Treaties with the United States of America.

Treaties of Belgium with the United States have been previously dealt with in this volume under America, United States of, No. 4.

Treaty with Venezuela.

No. 123.

Treaty of friendship, commerce, and navigation between Belgium and Venezuela.

SIGNED 1 Mar., 1884, at Caracas. Effective from 8 Apr., 1886, for five years, and thereafter terminable on twelve months' notice by either party. (Art. XXXVII.)

TEXT: French, B. F. S. P. 75: 39-47; Spanish, Venezuela Tr. 1910: 237-44; French and Spanish, Martens 61: 613-28.

I. Most-favored-nation treatment is reciprocally pledged in general terms, with regard to everything accorded by the laws to diplo-

matic and consular agents, citizens, ships, or merchandise of any other country. (Art. XXXVI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Any favors or exemptions which either country may accord in regard to military requisitions or charges imposed on possession of landed property, or concerning exemption from military service and contributions, or exemption from obligatory public functions. (Art. VI.)

(b) Precautionary police measures applied to foreigners in either country. (Art. XI.)

(c) Transit through territory of either nation of any objects passing to or from the other, whether passing direct or by reexportation. (Art. XV.)

(d) All duties imposed by either country on importation or re-exportation of products of the other. (Art. XVI.)

(e) Any duties imposed by either country on merchandise exported to the other. (Art. XVI.)

(f) Any restrictions or prohibitions imposed by either country against the other regarding importation or exportation (Art. XVI); except temporary sanitary measures to prevent spread of epizootic diseases and destruction of crops, and except measures connected with epidemics or war (Art. XVII.)

(g) Treatment of each other's vessels in matters concerning exercise of the coasting trade. (Art. XXVII.)

(h) Admission and treatment by either country of consular officers of the other. (Arts. XXXIII-IV.)

(i) Most-favored-nation treatment is further guaranteed to Belgian immigrants in Venezuela respecting advantages of any kind accorded to any foreign immigrants by laws and decrees of Venezuela. (Art. XI.)

II. National treatment is reciprocally pledged in regard to:

(a) Right of citizens of either country to enter with ships and cargoes all places, ports, and rivers open to foreign commerce in the other. (Art. III.)

(b) Right of citizens of either country to travel, reside, or contract marriage in the other. (Art. IV.)

(c) All charges, restrictions, or taxes imposed in either country on citizens of the other. (Arts. V and XI.)

(d) All rights, privileges, and conditions concerning protection of persons and property in either country, including access to courts of justice, and employment of advocates or others therein. (Art. V.)

(e) Treatment, trial, and punishment of citizens of either country taking part in civil strife in the other; diplomatic intervention to

be permitted only in case of notorious injustice, or of denial of justice. (Art. VIII.)

(f) Right of citizens of either country to exercise commerce in the other by wholesale or retail in any capacity; to engage in any lawful trade, profession, or industry; to rent and occupy houses, warehouses, and shops; and to bargain freely and fix prices of any article bought or sold; subject in all these matters to the laws of the country. (Art. X.)

(g) Acquisition, possession, transmission, and disposal of property of any kind, real or personal, by will or otherwise in any lawful manner; including right to export property or proceeds if sold; and all taxes, imposts, or duties relating to any of these matters. (Arts. X, XIII, and XIV.)

(h) Right of citizens of either country to manage their affairs in the other, personally or otherwise, in any capacity, and all charges, imposts, or restrictions relating thereto. (Art. XI.)

(i) All charges, imposts, or restrictions imposed in either country on property of any kind, real or personal, belonging to citizens of the other. (Art. XII.)

(j) Indemnities payable by either country to citizens of the other for loss, damage, or injury sustained in civil or other wars, in exceptional cases where native citizens would have a right to indemnification. (Art. XVIII.)

(k) All dues, tolls, or charges payable in ports, rivers, or canals of either country by ships of the other, from whatever place arriving and whatever their destination, on account of tonnage, port, lighthouse, pilotage, anchorage, towage, lockage, beaconage, brokerage, salvage, or quarantine, and any other duties or charges of whatever kind imposed on the hull of the ship, whether levied by the Government, by public officials, communes, or any establishments whatever. (Art. XXII.)

(l) Any privilege or favor in regard to stationing, loading, and unloading of ships in ports and waters of either country, and all formalities or regulations concerning merchant vessels and their crews or cargoes. (Art. XXIII.)

(m) Any dues or charges payable in either country by vessels of the other or their cargoes in case of forced landing to escape damage or shipwreck, provided they do not engage in commerce or remain longer than necessary. (Art. XXIV.)

(n) All import duties and other charges payable in either country on articles imported under the flag of the other, whatever their origin and from whatever country imported. (Art. XXV.)

(o) All duties or formalities imposed by either country on articles exported under the flag of the other, for whatever destination. (Art. XXVI.)

(p) All duties payable by ships in either country loading or unloading foreign merchandise in different ports of the other on the same voyage. But coasting trade is excepted. (Art. XXVII.)

III. Other provisions.

(a) Any disputes between the two countries which can not be settled by peaceful means, to be submitted for arbitration to a friendly power. (Art. II.)

(b) Citizens of either country to be exempt in the other from all obligatory, judicial, administrative, or municipal functions; from all military service by land or sea; from quartering of troops; and from all military contributions, forced loans, or requisitions. (Art. VI.)

(c) Immovable property owned by citizens of either country in the other to be subject to the laws of the country where situated. (Art. XIX.)

(d) Nationality of vessels under flag of either country to be recognized by the other, if carrying ship's papers required by law. (Art. XXI.)

(e) Assistance by either country to vessels of the other, and to their crews and passengers, in case of shipwreck or piracy, including restoration of salvaged articles, which are exempt from import duties unless cleared for consumption. (Arts. XXVIII-IX.)

(f) Detailed provisions relating to shipwreck (Art. XXVIII); piracy (Art. XXIX); war, contraband, and neutrality (Arts. XXX-XXXII); and assistance to consuls for recovery of seamen deserters (Art. XXXV).

BOLIVIA.

Treaties with America, United States of, to Belgium.

Treaties of Bolivia with the following countries have been previously dealt with in this volume under:

America, United States of, No. 5.

Argentina, No. 52.

Belgium, No. 91.

Treaty with Brazil.

No. 124.

Treaty of commerce and fluvial navigation between Bolivia and Brazil.

SIGNED 12 Aug., 1910, at Rio de Janeiro. Ratifications exchanged 29 July, 1911, at La Paz. Effective from exchange of ratifications for 10 years, and thereafter terminable on 12 months' notice from either party; except as to freedom of commercial transit by land or water, which is declared perpetual (Art. 39), and which existed long before this treaty was made. (See Brazil, Act. Dipl. 2: 312; B. F. S. P. 388.)

TEXT: Spanish, Bolivia Tr. Vig.: 136-54; Martens 92: 632-8; Portuguese, Brazil, Act. Diplom. 2: 387; D. O., 3 Mar., 1912.

(a) Both countries to enjoy all rights and privileges regarding commerce and fluvial navigation which either may accord to other States bordering on the Amazon or its affluents, or on the Paraguay and its tributaries. (Art. 17.)

(b) Mutual guarantee of free passage in perpetuity for merchant ships of all nations to and from Bolivia by way of the Amazon, Paraguay, and other waters named (Arts. 1, 2) except the coasting trade from port to port in the same country (Art. 5.)

(c) Transit of persons, equipages, and merchandise by land or rivers through either country is exempt from all imposts whatever; whether national, State, or municipal, except only handling and warehousing charges and the duty for stamps or stamped paper (Art. 14) on condition of conforming to fiscal and police regulations designed to facilitate the widest freedom of commercial intercourse between the two nations (Art. 1).

(d) Certain ancient ship's dues named are abolished in the river ports of both countries, and are replaced by a single duty on tonnage,

proportionate to capacity of vessels as specified in this treaty. (Arts. 11, 12.)

(e) Detailed and extensive provisions concerning transportation, customs administration, and other matters pertaining to transit trade. (Arts. 15-38.)

Treaties with Chile.

No. 125.

Treaty of peace, friendship, and commerce between Bolivia and Chile.

SIGNED 20 Oct., 1904, at Santiago. Ratifications exchanged 10 Mar., 1905, at La Paz. No time limit stated.

TEXT: Spanish, Martens 87:174-84; English (transl.), B. F. S. P. 98:763-70.

I. Most-favored-nation treatment is reciprocally but conditionally pledged with regard to:

(a) Any dues which either country may impose on importation or consumption of products of the other, and any favors, exemptions, or privileges relating thereto. (Art. VIII.)

(b) Railway tariffs to be applied to products of either country carried over railways of the other. (Ibid.)

II. Other provisions.

(a) Extensive and detailed provisions concerning boundary lines between the two countries (Art. II); construction of railways to facilitate commercial relations (Art. III); and settlement of claims (Arts. IV, V).

(b) Chile recognizes in favor of Bolivia, and in perpetuity, the fullest and most unrestricted right of commercial transit through her territory and ports on the Pacific. (Art. VI.)

(c) Bolivia shall have the right to establish customhouse agencies at ports she may select for carrying on her trade. Goods intended for transit to be dealt with by these agencies as described in detail. (Arts. VII, IX, X.)

(d) Arbitration of difficulties regarding interpretation or execution of this treaty. (Art. XII.)

(e) Products of Chile imported into Bolivia shall enjoy on specified railways constructed on Bolivian territory a rebate of not less than 10 per cent on freight charges. (Protocol.)

(f) Until Bolivia abolishes the exemption from duty enjoyed by Peruvian goods, the products of Chile imported into Bolivia, and vice versa, shall enjoy a like exemption. (Protocol of 10 Sept. 1905.³⁷)

³⁷ English (transl.), B. F. S. P. 98: 771-2.

No. 126.

Convention regulating commercial traffic between Bolivia and Chile.

SIGNED 6 Aug., 1912, at La Paz. Ratifications exchanged 25 Mar., 1914, at Santiago. Effective from exchange of ratifications for five years, and thereafter terminable on 12 months' notice by either party, if replaced by another convention. (Art. XVI.)

TEXT: Spanish, Bolivia Tr. Vig.: 231-9; Chile Tr. 7: 78-80; English (transl.), B. F. S. P. 106: 899-903.

(a) Chile guarantees free transit through its territory of foreign merchandise destined for Bolivia, and of Bolivian merchandise destined for foreign countries (Art. I); such merchandise to be transported in locked and sealed wagons, exempt from all inspection except as regards external markings, numbers, and condition of coverings in which the goods are packed (Art. II.)

(b) Extensive and detailed regulatory stipulations to assure widest reciprocal freedom of commercial transit, while safeguarding the fiscal interests of both countries against evasion of customs duties or other frauds. (Arts. II-XV.)

Treaty with Colombia.

No. 127.

Treaty of friendship between Bolivia and Colombia.

SIGNED 19 Mar., 1912, at La Paz. Ratifications exchanged there 20 Dec., 1912. Duration indefinite.

TEXT: Spanish, Bolivia Tr. Vig.: 162-70; Colombia Tr. Pub. 1913: 3-6; Spanish and German, Martens 94: 562-8; English (transl.), B. F. S. P. 106: 903-8.

I. Most-favored-nation treatment is reciprocally pledged in regard to:

(a) All privileges concerning commercial relations, until conclusion of a commercial treaty. (Art. XI.)

(b) All immunities and privileges accorded to diplomatic and consular officers. (Art. XVII.)

II. National treatment is reciprocally pledged in respect to all civil rights (Art. III); and respecting security and guarantee conceded by the laws in regard to literary property and industrial inventions (Art. IV).

III. Other provisions.

(a) Reciprocal exemption of each other's citizens from all extraordinary contributions, forced loans, and military enlistments, except in defense of their own country. (Art. III.)

(b) Neither country to lend aid to segregation of any portion of the territories of the other. (Art. XV.)

(c) In case of conflict between either country and any third State, the other is to use its good offices to bring about a peaceful solution. If war results nevertheless, neither country shall take any part whatever against the other, directly or indirectly. (Art. XIX.)

Treaty with Ecuador.

No. 128.

Treaty of friendship between Bolivia and Ecuador.

SIGNED 17 Apr., 1911, at La Paz. Ratifications exchanged 23 May, 1913, at Quito. Duration indefinite.

TEXT: Spanish, Bolivia Tr. Vig.: 253-61; Martens, 94: 431-4.

I. Most-favored-nation treatment is reciprocally pledged in respect to commercial relations, pending conclusion of a special commercial treaty (Art. XI); also all immunities or privileges accorded to diplomatic and consular officers (Art. XVII).

II. National treatment is reciprocally pledged respecting all civil rights (Art. III); and regarding security of literary property and of industrial inventions (Art. IV).

III. Other provisions.

(a) Exemption of each other's citizens from all extraordinary contributions, forced loans, and military enlistments, except in defense of their own country. (Art. III.)

(b) Formal validity in either country of documents legally executed in the other. (Art. VIII.)

(c) Neither country to lend aid to segregation of any portion of the territories of the other. (Art. XV.)

(d) In case of conflict between either nation and any third State, the other is to use its good offices to bring about a peaceful solution. If war results nevertheless, neither country shall take any part whatever against the other, directly or indirectly. (Art. XIX.)

(e) Arbitration of disputes between the two countries. (Art. XVIII.)

Treaty with Germany.³⁸

No. 129.

Treaty of friendship and commerce between Bolivia and Germany.

SIGNED 22 July, 1908, at La Paz. Effective from 25 Mar., 1910, for 10 years, and thereafter terminable on one year's notice by either party. (Art. XI.)

TEXT: German, Hdv. 1915: 2-4; Spanish, Bolivia Tr. Vig.: 7-14; German and Spanish, Martens 89: 284-9; English (transl.), B. F. S. P. 101: 911-13.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) Protection of citizens of either country in the other; also acquisition of property and exercise of industry in either country, subject to the laws and regulations of the country of residence. (Art. II.)

³⁸ See p. 546, note 128.

(b) Importation, exportation, and transit, with special reference to import dues levied in either country on products of the other. (Art. III.)

(c) Any prohibitions, restrictions, or customhouse formalities which either country may establish regarding importation or exportation of any articles to or from the other, except facilities which either country may grant exclusively to bordering States to foster the frontier trade. (Art. III.)

(d) All rights, liberties, and favors which either country may grant to consular representatives. (Art. V.)

(e) Exemption of citizens of either country from military exactions or requisitions in the other. (Art. IX.)

(f) Rights and favors to be accorded to the German merchant marine regarding navigation of the rivers in Bolivian territory. (Art. IV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to charges or taxes payable by citizens of either country on their goods, chattels, or property in the other. (Art. IX.)

III. National treatment is reciprocally pledged in regard to:

(a) Access to all ports of either country, and payment of rates or taxes in either country by citizens of the other. (Art. II.)

(b) All assistance, rights, privileges, liberties, favors, immunities, or exceptions in matters of commerce. (Art. II.)

IV. Other provisions.

(a) Children born of Germans in Bolivia and those born of Bolivians in Germany may choose either nationality within 12 months after attaining the age of 21 years (Art. VI), and are therefore not liable to military service below the age of 22 years (Art. VII).

(b) Citizens of either country are exempt in the other from all personal military service by land or sea, and from obligation to accept political, administrative, or judicial offices (except municipal officers who may act without loss of their nationality), and from all extraordinary war contributions and forced loans. (Arts. VIII, IX.)

(c) Citizens of either country shall in no case be obliged to comply with military requisitions or services in the other without previous indemnity on just and equitable bases. (Art. IX.)

(d) Diplomatic representatives shall not interfere in complaints of private individuals concerning civil, criminal, or administrative matters, except in case of denial of justice, violation of treaties, and other contingencies stated. (Art. X.)

— See also Treaty of Versailles, No. 314.

Treaty with Great Britain.**No. 130.***Treaty of commerce between Bolivia and Great Britain.*

SIGNED 1 Aug., 1911. Ratifications exchanged 5 July, 1912. Effective from 15 July, 1912, for 10 years, and thereafter indefinitely, subject to termination by 12 months' notice from either party. (Art. XVI.) Terminable separately on behalf of any British colony, possession or dependency which may have acceded thereto. (Art. XVI.)

TEXT: English, B. F. S. P. 104: 132-6; Hdb. 1912: 39-44; Spanish, Bolivia Tr. Vig.: 362-72; English and Spanish, Martens 92: 632-8.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below), respecting any privilege, favor, or immunity whatever which either country may grant in matters relating to commerce and industry, in all respects. (Art. V.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Any duties, charges, prohibitions or restrictions imposed upon importation into either country of products of the other, from whatever place arriving; except sanitary and other prohibitions designed to secure the safety of persons, of cattle, or of plants useful to agriculture. (Art. II.)

(b) Any duties, charges or prohibitions imposed by either country upon exportation of any articles to the other. (Art. III.)

(c) Appointment of consuls, and all facilities, privileges, exemptions and immunities of every kind accorded to consular officers by either country. (Art. VI.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in respect to:

(a) All that relates to exemption from transit duties, warehousing, bounties, facilities and drawbacks in either country. (Art. IV.)

(b) Any general or local taxes, charges, imposts or obligations of any kind whatever, imposed by either country in respect of persons, property, passports, commerce, or industry. (Arts. VII and IX.)

(c) Equal treatment of each other's citizens as regards conditions and legal forms to be observed in either country in case of domiciliary visits or search of dwellings, factories, shops and other premises, and examination or inspection of books, papers, or accounts. (Art. XII.)

III. National treatment is reciprocally pledged in respect to:

(a) Right of residence in any part of either country, subject to the laws and regulations in force, and all rights, privileges, liberties, favors, immunities and exemptions in matters of commerce, including payment of taxes or imposts relating thereto. (Art. I.)

(b) Exercise of civil rights in either country, with special reference to acquisition, possession and disposal of, or succession to, property of all kinds in any manner whatever, and all conditions and legal forms, imposts, duties or charges relating thereto; also right to export property or proceeds thereof if sold. (Art. XI.)

(c) Access to courts of justice, and employment of advocates or others therein, and any conditions, restrictions, taxes, deposits, sureties or fees relating thereto. (Art. XII.)

(d) All rights concerning patents for invention, trade-marks and designs, subject to fulfillment of formalities prescribed by the law. (Art. XIII.)

IV. Other provisions.

(a) Conforming to the laws in force, citizens of either country may travel or reside in any part of the dominions and possessions of the other; may hire or possess houses, factories, shops, and other premises; and may carry on commerce in person or by agents they may think fit to employ. (Art. VII.)

(b) Exemption of each other's citizens from all military service by land or sea, and from obligations to accept judicial, administrative, or political duties or positions; except municipal functions which may be discharged without loss of nationality, and except jury service according to law. (Art. VIII.)

(c) Neither country to exercise diplomatic intervention in case of private claims or complaints affecting civil or criminal matters in respect of which legal remedies are provided, except under conditions stated constituting denial of justice. (Art. X.)

V. Exceptions.—Most-favored-nation stipulations of this treaty do not apply to special favors, exemptions, and privileges in matters of commerce which Bolivia may accord exclusively to citizens or products of conterminous States. (Art. XIV.)

VI. Application to British colonies.—This treaty does not apply to British colonies or possessions beyond the seas, unless notice to that effect is given to Bolivia before July 15, 1913. Nevertheless, products of any British colony, possession or protectorate are entitled to complete and unconditional most-favored-nation treatment in Bolivia so long as it accords to Bolivian products treatment as favorable as to those of any other country. (Art. XV.)

For a long list of accessions of British colonies, etc. (which, however, does not include Canada, Australia, New Zealand, South Africa, or British India), see B. F. S. P. 107: 356-7; also Hertslet 27: 71-2.

Treaty with Italy.

No. 131.

Treaty of friendship and extradition between Bolivia and Italy.

SIGNED 18 Oct., 1890, at Lima. Effective from 7 Jan., 1901, for 10 years, and thereafter terminable on 12 months' notice by either party. (Art. XXXII.)

TEXT: Spanish, Bolivia. Tr. Vig.: 873-86; Italian, Italy. Tr. 12: 461-9; Martens 68: 728-32; English, B. F. S. P. 92: 1007-12.

I. Most-favored-nation treatment is reciprocally pledged regarding appointment of consuls, and all honors, prerogatives, immunities, and privileges accorded to consular agents by either country. (Art. II.)

II. National treatment is reciprocally pledged to citizens of either country in the other respecting all rights, immunities, and privileges in matters relating to commerce, navigation, travel, payment of taxes, acquisition and alienation of property, protection of local laws, civil rights, access to courts of justice in person or through representatives, and assistance and care in asylums or hospitals of the country. (Art. III.)

III. Other provisions.

(a) Citizens of either country are exempt in the other from compulsory military service by land or sea, from all judicial or municipal functions, and from all military contributions, loans, and requisitions, except those imposed by law on immovable property in either country. (Art. III.)

(b) Stipulations of the industrial property convention of 20 Mar., 1883, to be applied with regard to protection of industrial property in either country. (Art. III.)

(c) Whenever Italian emigrants are engaged in either country for service in Bolivia, Bolivia undertakes to see that the contracts are equitable and scrupulously carried out, and to protect such immigrants against every abuse and deception. (Art. V.)

(d) Judgments and arbitral decisions in civil and commercial matters, and other specified official or voluntary acts, performed, pronounced, or issued in either country shall have the same validity in the other, on condition of conforming to procedure described. (Arts. XXV-XXX.)

(e) Arbitration of controversies concerning interpretation, execution, or violation of this treaty. (Art. XXXI.)

(f) Detailed and extensive provisions relating to nationality and naturalization of citizens of either country in the other (Art. IV), and extradition of criminals (Arts. VI-XXIV).

Treaty with Japan.

No. 132.

Treaty of commerce between Bolivia and Japan.

SIGNED 13 Apr., 1914, at La Paz. Ratifications exchanged 15 Mar., 1916, at Santiago. Effective from 22 Mar., 1916, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XIII.)

TEXT: English (authentic), Japan Tr. 1918: 46-50.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms (subject to exceptions noted below) respecting any privilege, favor, or immunity which either country may grant to citizens of any other State in all that concerns commerce and industry; except as otherwise expressly provided in this treaty. (Art. XI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All that relates to travel and residence, exercise of callings and professions, and prosecution of industrial or manufacturing undertakings in either country. (Art. II, 1.)

(b) Acquisition and possession of every description of immovable property which laws of the country permit foreigners to acquire or possess, on condition of reciprocity, and subject to conditions and limitations prescribed by said laws. (Art. II, 5.)

(c) Appointment of consular officers and, on condition of reciprocity, all rights, exemptions, and immunities granted to consular officers in either country. (Art. IV.)

(d) Customs duties imposed by either country on importation of products of the other, from whatever place arriving. (Art. VI.)

(e) Charges imposed by either country on exportation of its products to the other. (Art. VI.)

(f) Any prohibitions imposed by either country on importation or exportation of any article from or to the other; except prohibitions or restrictions imposed as sanitary measures to protect animals and useful plants. (Art. VI.)

(g) Any internal duties or charges levied in either country on production, manufacture, or consumption. These must not bear more heavily on imported products of the other country than on similar products of any other foreign origin. (Art. IX.)

(h) Rights which joint stock companies and other commercial, industrial, and financial companies and associations of either country may exercise in territories of the other. (Art. X.)

II. National or most-favored-nation treatment (optional): is reciprocally pledged with regard to:

(a) All privileges, liberties, and rights in regard to possession of movable property of any kind, and disposal in any way whatever of all kinds of property lawfully acquired, including transmission by

succession of any property lawfully acquired inter vivos. (Art. II, 4.)

(b) Any military requisitions and contributions imposed by either country on citizens of the other. (Art. II, 6.)

(c) Payment of taxes, fees, charges, or contributions of any kind whatever. (Art. II, 7.)

III. National treatment is reciprocally pledged in regard to:

(a) Right to carry on commerce and trade in all kinds of merchandise of lawful commerce in either country. (Art. II, 2.)

(b) Exemption of dwellings and other premises used for lawful purposes from domiciliary visits or search, and of books, papers, or accounts from inspection or examination; except under conditions and with legal forms prescribed by the laws for native citizens. (Art. III.)

(c) All that relates to warehousing facilities, bounties, and drawbacks. (Art. VIII.)

IV. Other provisions.

(a) Right of citizens of either country to enter and sojourn in territories of the other. (Art. II.)

(b) Citizens of either country may own or hire and occupy houses, factories, warehouses, shops, and premises in the other, and lease land for residential, commercial, industrial, and other lawful purposes; also carry on commerce and manufacture, and trade by wholesale or retail in all kinds of merchandise of lawful commerce. (Art. II, 3.)

(c) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from all contributions in lieu of personal service, and from all forced loans. (Art. II, 6.)

(d) There shall be reciprocal freedom of commerce between the two countries. (Art. V.)

(e) Products of either country passing in transit through territories of the other in accordance with its laws are reciprocally exempt from all transit duties, whether passing direct or unloaded, warehoused and reloaded. (Art. VII.)

(f) Products of either country imported into territories of the other for warehousing or transit are exempt from all internal duties. (Art. IX.)

(g) Joint-stock companies and other commercial, industrial, and financial companies and associations duly constituted in either country are authorized to exercise their rights in the other conformably to its laws, with special reference to actions in courts of justice. (Art. X.)

V. Exceptions.—The provisions of this treaty do not apply to any special advantages which either country may grant exclusively to contiguous States to facilitate frontier traffic. (Art. XII.)

Treaties with Peru.

No. 133.

Treaty of commerce and customs between Bolivia and Peru.

SIGNED 27 Nov., 1905, at Lima. Effective from 1 July, 1906, for five years, and thereafter until terminated by 12 months' notice from either party. (Art. X.)

TEXT: Spanish, Martens 84:729-31; English (transl.), B. F. S. P. 100:805-6.

I. Most-favored-nation treatment is reciprocally pledged with regard to any commercial advantages, immunities, or concessions; with special reference to taxes, duties, charges or tariffs which either country may impose on products of the other. (Art. IV.)

II. National treatment is reciprocally pledged with reference to tolls payable on cattle of any kind destined for consumption in either country, when passing through territory of the other. (Art. V.)

III. Other provisions.

(a) Reciprocal free commercial transit for products of either country through territory of the other; and for foreign products introduced via certain routes named. (Art. II.) Both countries, however, remain free to levy import or consumption taxes on each other's natural or industrial products. (Art. III.)

(b) For mutual convenience of taxpayers in the boundary zones of both Republics, certain named articles of common use, chiefly foodstuffs, are exempted (within stated quantity limits) from all fiscal or municipal taxes, and from the necessity of all consular and customs documents when proceeding from either country. (Art. VI.)

No. 134.

Convention between Bolivia and Peru regulating commercial traffic via Mollendo.

SIGNED 21 Jan., 1917, at La Paz. Effective from 1 Mar., 1917, for five years, and thereafter until terminated by 12 months' notice from either party. (Art. XX.) Replaces agreement of 30 Jan. 1908 on the same matters.

TEXT: Spanish, State Department dispatch, La Paz, 29 Apr., 1921.

(a) Peru guarantees free transit through its territory for merchandise arriving at the port of Mollendo and destined for Bolivia, and for products arriving from Bolivia for shipment at Mollendo. (Art. I.)

(b) Extensive and detailed regulatory stipulations to assure freedom of commercial transit between the two countries, with special reference to the port of Mollendo. (Arts. II-XIX.)

Treaty with Spain.

No. 135.

Treaty of recognition, peace, and friendship between Bolivia and Spain.

SIGNED 21 July 1847, at Madrid. Duration indefinite. Revived and confirmed in all respects, as from 19 Jan. 1850, by Art. 3 of treaty of peace and friendship signed at Paris, 21 Aug. 1879.

TEXT: Spanish, Bolivia Tr. Vig. 263-76 Spain Tr. 7:437-8; English (transl.), B. F. S. P., 59: 422-7.

I. Most-favored-nation treatment is reciprocally pledged in regard to:

- (a) Exercise of trades and professions. (Art. X.)
- (b) Possession, purchase, and sale of every description of goods and property, real or personal, and disposal thereof or succession thereto in any manner whatever, by will or otherwise. (Art. X.)
- (c) Payment of taxes on account of occupation, trade, or property. (Art. XI.)
- (d) Payment of duties on products, effects, or merchandise imported from or exported to either country; and payment of port dues. (Art. XII.)
- (e) Appointment of diplomatic and consular agents and all exemptions, privileges, and immunities accorded to them. (Art. XIII.)

II. Other provisions.

- (a) Exemption of each other's citizens from military service by land or sea, and from all charges, extraordinary contributions or forced loans. (Art. XI.)
- (b) Extensive provisions relating to Spain's recognition of Republic of Bolivia (Arts. I, II); complete amnesty for all citizens of either country (Art. III); debts and claims arising from the war (Arts. IV-VI); restoration of property to owners and indemnities relating thereto (Art. VII); and option to choose nationality of either country under conditions stated (Art. IX).

Treaties with the United States of America.

Treaties of Bolivia with the United States have been previously dealt with in this volume under America, United States of, No. 5.

BORNEO.

Treaties with the United States of America.

Treaties of Borneo with the United States have been previously dealt with in this volume under America, United States of, No. 6.

BRAZIL.

Treaties with America, United States of, to Bolivia.

Treaties of Brazil with the following countries have been previously dealt with in this volume under:

America, United States of, No. 7.

Argentina, Nos. 53 and 54.

Belgium, Nos. 92 and 93.

Bolivia, No. 124.

Treaty with China.

No. 136.

Treaty of friendship, commerce, and navigation between Brazil and China.

SIGNED 3 Oct., 1881, at Tientsin. Effective from 3 June, 1882, for 10 years, and thereafter terminable on six months' notice from either party. (Art. XVI.)

TEXT: French (authentic), B. F. S. P. 72: 560-5; Hertslet's China Tr. I: 234-40; Martens 62: 549-54; Portuguese, Brazil Cod. Rel. Ext. 1900, No. 199.

I. Most-favored-nation treatment is reciprocally but conditionally assured to the subjects of either country in the other (Art. V), except trading in opium (Art. XIV), with special reference to:

(a) All rights, advantages, and privileges relating to travel, residence, and protection of persons or property in either country.

(Art. I.)

(b) All prerogatives, exemptions, immunities, and privileges accorded to diplomatic and consular agents. (Arts. II, III.)

(c) Exercise of commerce in all ports and localities open to foreign commerce in either country. (Art. V.)

(d) Import and export duties payable in open ports of either country by subjects and merchant vessels of the other, subject to the commercial regulations in force. (Art. VI.)

(e) Treatment of warships and merchant vessels of either country in ports of the other; and of vessels seeking refuge from damage or shipwreck. (Arts. VII, VIII.)

II. National or most-favored-nation treatment (optional) of Chinese subjects in Brazil is pledged in regard to all rights and privileges concerning access to courts of justice. (Art. XIII.)

III. Other provisions.

(a) Provisions concerning right of Brazilians to travel in the interior of China, and passports relating thereto. (Art. IV.)

(b) Both countries agree to restrain their subjects from importing opium, or trading therein in ports of either country open to commerce. (Art. XIV.)

(c) Extensive stipulations regarding civil and criminal jurisdiction in China when subjects of either country are involved. (Arts. IX-XII.)

Treaty with Colombia.

No. 137.

Treaty between Brazil and Colombia regarding commerce and fluvial navigation.

SIGNED 21 Aug., 1908, at Rio de Janeiro. Ratifications exchanged 6 Aug., 1910, at Bogota. Effective from exchange of ratifications for 10 years, and thereafter terminable on 12 months' notice from either party, except as to freedom to navigate rivers of both countries recognized as common by the boundary treaty of 24 Apr., 1907,³⁹ which is declared perpetual. (Art. XVII.)

TEXT: Spanish and Portuguese, Martens 89: 312-18; Spanish, Colombia Tr. Pub. 1913: 13-19; English (transl.), B. F. S. P. 101: 941-4; Brazil Act. Diplom. 2: 364.

I. Most-favored-nation treatment is reciprocally pledged in regard to any rights and exemptions concerning commerce and fluvial navigation recognized or conceded by either country to the States bordering on the Amazon or its affluents. (Art. XIV.)

II. Other provisions.

(a) Right of Brazilian and Colombian merchant vessels to navigate freely the rivers recognized as common to both countries by the treaty of 24 Apr. 1907³⁹; and right of Colombian vessels to navigate the Amazon and other rivers opened by Brazil to the commerce of all nations, and which do not form the subject of any special agreement between the two countries; except the coasting trade from port to port in the same country; subject always to the fiscal and police regulations established in either country (Art. I), which must be as favorable as possible to navigation and commerce and as uniform as possible in the two countries (Art. II).

(b) Nationality of vessels to be determined by laws of each country. (Art. III.)

(c) No imposts to be levied on merchandise in transit on the river Amazon in vessels of any nationality, or in transit on other specified rivers in Brazilian or Colombian vessels, even in the case of transshipments under conditions stated. (Art. IV.)

(d) Packages containing goods in transit shall not be opened by customs authorities of intermediate ports. (Art. V.)

(e) Merchandise of foreign origin exported from either country to the other must pay the duties due in each country. (Art. XI.)

(f) Schedule of tonnage dues to be collected in the river ports of either country (Art. VIII), to replace the old dues referred to. (Art. VII.)

³⁹ English, B. F. S. P. 100: 810-12; Portuguese, Martens 86: 789-90; Brazil Act. Diplom. 2: 350.

(g) Exemption from tonnage dues in the following cases: (1)

(1) Ships and transports of war not used for transporting merchandise. (Art. IX, 1.)

(2) Merchant vessels measuring less than thirty tons. (Art. IX, 2.)

(3) Vessels voyaging for official or purely scientific reasons, or for pleasure. (Art. IX, 3.)

(4) Vessels landing through force majeure under conditions stated. (Art. IX, 4.)

(h) Transit through either country, whether by river or land, cannot be subjected, directly or indirectly, to any impost whatever; except the capataz and warehousing dues, and the stamp and tonnage dues specified. (Art. X.)

(i) Right of either country to maintain agents in specified customs houses of the other (Art. XII), and on vessels engaged in transit commerce. (Art. XIII.)

(j) Right of ships and transports of war of either country to navigate rivers in the other, within limits stated. (Art. XV.)

(k) Arbitration of differences regarding interpretation or execution of this treaty. (Art. XVI.)

Treaty with Germany.

See Treaty of Versailles, No. 314.

Treaty with Italy.

No. 138.

Exchange of notes between Brazil and Italy concluding a provisional customs tariff agreement.

SIGNED 5 July, 1900, at Rio de Janeiro. Successively extended for two-year periods since 1900. Terminable on six months' notice from either party.

TEXT: Italian, Italy Tr. 16: 182; Portuguese, Brazil Act. Dipl. 2: 282.

Italy agrees to reduce her tariff on coffee from 150 to 130 lire per 100 kilos, in return for the lowest Brazilian tariffs on products imported from Italy.

Treaty with Japan.

No. 139.

Treaty of friendship and commerce between Brazil and Japan.

SIGNED 5 Nov., 1895, at Paris. Ratifications exchanged there 12 Feb., 1897. Effective from exchange of ratifications for 12 years, and thereafter terminable on 12 months' notice from either party. (Art. XIII.)

TEXT: French (authentic), Martens 84: 393-6; B. F. S. P. 87: 1191-5; French and Portuguese, Japan Tr. 1918: 51-9; Portuguese: Brazil Cod. Rel. Ext. 1900, No. 474; Act. Diplom. 2: 222.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in respect of all privileges, favors, or immunities in matters

of commerce, navigation, travel, and residence (Art. IV); except the coasting trade of both countries (Art. VIII).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All rights, privileges, and immunities extended to diplomatic and consular agents. (Art. II.)

(b) Right of citizens of either country to enter freely and securely, with their ships and cargoes, all places, ports, and rivers in the territories and possessions of the other. (Art. III.)

(c) Right of residence in all parts of either country, and to rent or occupy houses and shops, and trade by wholesale or retail in all kinds of products, manufactures, and merchandise of lawful commerce. (Art. III.)

(d) Acquisition, possession, and disposal of property of all kinds. (Art. III.)

(e) All duties or prohibitions imposed by either country on importation of products of the other. (Art. V.)

(f) All duties, charges, or prohibitions imposed by either country on exportation of any articles to the other. (Art. V.)

(g) All matters relating to transit duties, warehousing, bounties, facilities, and drawbacks. (Art. VI.)

(h) Port dues, and all dues or charges for tonnage, lighthouse, pilotage, quarantine, salvage, and other similar dues or charges, under whatever name, and no matter by whom or how levied in ports of either country on ships of the other. (Art. VII.)

(i) Exemption from compulsory military service by land or sea, billeting of soldiers and military requisitions or forced loans. (Art. XII.)

II. National treatment of subjects and citizens of either nation in the territories and possessions of the other is reciprocally pledged in regard to protection of persons and property, and access to courts of justice, with right to employ advocates or others therein. (Art. XI.)

III. Other provisions.—Subjects and citizens of either country to enjoy in the territories and possessions of the other complete freedom of conscience and of private or public worship; also right of burial in accordance with their religious or national customs; subject to the laws and regulations in force. (Art. XI.)

Treaty with Turkey.**No. 140.***Treaty of friendship, commerce, and navigation between Brazil and Turkey.*

SIGNED 5 Feb., 1858, at London. Effective from 18 May, 1858, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XI.)

TEXT: Portuguese, Brazil Cod. Rel. Ext. 1900, No. 759; English (transl.), B. F. S. P. 48:1045-8.

I. Favored-nation treatment (described in this treaty as treatment of "friendly" nations or powers) is reciprocally pledged in regard to:

(a) Appointment of diplomatic and consular agents, and all honors, favors, immunities, assistance, and protection to be accorded to them in either country. (Art. II.)

(b) All rights and exemptions granted by either country to subjects of friendly nations in regard to their property and persons. (Art. III.)

(c) Right of subjects of either country to trade freely in all cities, ports, and places open to foreign commerce in the other, and to hire houses, and warehouses for that purpose; on paying the same duties and imposts as subjects of friendly powers. (Art. IV.)

(d) Delivery to consular officers of property left by subjects of either country dying in the other, in conformity with the laws, regulations, and customs of the country. (Art. V.)

(e) Military contributions and imposts payable in either country by subjects of the other. (Art. VI.)

(f) Procedure and judgment in disputes and differences arising in either country between subjects of the other, or between these and natives or foreign subjects; also in case of crimes or offenses committed in either country by subjects of the other. (Art. VII.)

(g) Treatment of merchant vessels of either country navigating the waters and entering the ports of the other open to foreign commerce, in all respects; with special reference to payment of duties or imposts relating thereto. (Art. VIII.)

(h) Right of merchant vessels of either country to import into or export from the other all kinds of produce and merchandise of which importation or exportation is not prohibited by the laws and regulations of the country, subject to paying the same imposts and customhouse dues as other friendly nations. (Art. VIII.)

(i) Proceedings to be taken in respect to property and merchandise saved from wreck of vessels of either country on coasts of the other. (Art. X.)

II. Other provisions.

(a) Subjects of either country may travel and reside unmolested in all ports, cities and places in the other. (Art. III.)

(b) Right of merchants of either country to manage their affairs in the other personally or by agents of their own choice. (Art. IV.)

(c) Subjects of either country are exempt in the other from all military service. (Art. VI.)

(d) Vessels of either country are prohibited from carrying on coasting trade in the other; and in no case shall the flag of either nation be granted to vessels of the other or to those of any other nation. (Art. VIII.)

Treaties with the United States of America.

Treaties of Brazil with the United States have been previously dealt with in this volume under America, United States of, No. 7.

Treaty with Uruguay.

No. 141.

Treaty of commerce and navigation between Brazil and Uruguay.

SIGNED 12 Oct., 1851, at Rio de Janeiro. Ratifications exchanged 11 Nov., 1857, at Montevideo. Duration indefinite.

TEXT: Portuguese, Brazil Cod. Rel. Ext. 1900, No. 774; English (transl.), B. F. S. P. 40: 1145-50.

I. Most-favored-nation treatment is reciprocally but conditionally pledged to the diplomatic and consular agents, and to the citizens, vessels, and natural or manufactured products of either country, as regards all rights, privileges, and immunities granted to any other country in these respects. (Art. II.)

II. Other provisions.

(a) Navigation of the Uruguay and its affluents belonging to either country is declared common to both. (Art. XIV.)

(b) Nationality of vessels to be determined by the laws of each country. (Art. III.)

(c) Exemption of each other's citizens from all forced loans or military imposts or requisitions, and from all forced military service of whatever kind. (Art. VI.)

(d) Extensive provisions relating to abolition of military confiscations (Arts. VII, VIII); principles to be observed by both countries in case either is at war with any third power (Art. X); contraband of war (Art. XI); piracy (Arts. XII, XIII); navigation of the Parana, Paraguay, and Uruguay (Arts. XV-XVII); and perpetual neutrality of the Island of Martin Garcia (Art. XVIII).

BRITISH EMPIRE: GREAT BRITAIN.⁴⁰

Treaties with America, United States of, to Bolivia.

Treaties of Great Britain with the following countries have been previously dealt with in this volume under:

America, United States of, Nos. 23 to 26.

Argentina, No. 57.

Austria, No. 63.

Austria-Hungary, No. 73.

Belgium, No. 102.

Bolivia, No. 130.

Treaty with Bulgaria.⁴¹

No. 142.

Convention of commerce, customs duties, and navigation between Great Britain and Bulgaria.

SIGNED 9 Dec., 1905, at Sofia. Effective from 14 Jan., 1906, until 14 Jan., 1911, and thereafter until terminated by 12 months' notice from either party. (Art. XXI.)

TEXT: English, Hdb. 1912: 51-79; B. F. S. P. 98: 864-91; French, Martens 84: 738-47.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged (subject to exceptions noted below), with regard to:

(a) Any favor, privilege, or reduction as regards tariffs of import or export duties which either country may grant to any third power. (Art. IV.)

(b) Any duties or prohibitions which either country may establish on importation or exportation; except on sanitary grounds, or to prevent spread of diseases of animals or destruction of crops, or in case of bounty-fed goods, or in view of warlike events. (Art. IV.)

(c) Duties payable on merchandise of Bulgarian origin or manufacture on importation into the United Kingdom. (Art. V.)

(d) Treatment by either country of commercial travelers and their samples from the other. (Art. VII and Annex.)

(e) Treatment by either country of vessels of the other in all that concerns the coasting trade. (Art. XII.)

⁴⁰ The application of Great Britain's treaties to the various parts of the Empire is indicated in these digests under the caption Application to Colonies.

⁴¹ See p. 391, note 82.

(f) Any advantages which either country may accord to the produce of its national fisheries. (Art. XVI.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) All taxes, imposts, or licenses of any kind payable by citizens of either country in respect to their commerce or industry in any part of the other. (Art. I and final protocol.)

(b) Any charges connected with possession of landed property; also military exactions and requisitions incidental to ownership or occupation of real property. (Art. II.)

(c) Right to exercise any industry in either country and to trade by wholesale or retail in any articles of lawful commerce, in person or by agents, singly or in partnership with foreigners or native subjects; except the following trades in Bulgaria: Village tavern keepers, apothecaries, brokers, peddlers, and hawkers. (Art III and final protocol.)

(d) Right to acquire, hire, and possess houses, shops, and land in either country; subject to conforming to laws and regulations in force. (Art. III.)

(e) Treatment by either country of subjects and goods of the other in all that relates to exercise of commerce and industry; with special reference to whatever concerns consumption, warehousing, bounties, drawbacks, facilities, reexportation, transit, transshipment, and accomplishment of customs formalities. (Art. IV and final protocol.)

(f) Any internal duties levied in either country on production or consumption. These must not bear more heavily on products of the other country than on similar articles of national or other foreign production. (Art. VI and final protocol, giving extensive list of excise and octroi dues payable on various articles in Bulgaria.)

(g) Any privileges or favors which either country may grant in regard to the stationing, loading, and unloading of vessels in ports, roadsteads, harbors, docks, rivers, or canals, and any formalities or provisions applicable to merchant vessels, their crews, and cargoes. (Art. X.)

(h) Treatment by either country of ships and goods of the other, in all respects; with special reference to tonnage, port, pilotage, light, and quarantine dues, and all similar duties levied on ships or goods in ports, docks, roadsteads, and harbors of either country. (Art. XIII.)

(i) All rights and immunities regarding access to courts of justice in either country, and employment of advocates or others therein. (Decl. annexed.)

(j) Any additional or accessory taxes payable in Bulgaria by British ships and goods, whether imported by water or by land. (Final protocol, giving extensive list of such dues.)

III. National treatment is reciprocally pledged in general terms regarding all privileges, immunities, and other favors in matters of commerce, industry, and navigation. (Art. I, final protocol.)

National treatment is further reciprocally pledged in regard to:

(a) Treatment of vessels and their cargoes of either country in ports of the other, in all respects, from whatever place arriving and whatever the place of origin or destination of the cargoes; with special reference to duties, taxes, or charges of any kind, no matter by whom or how levied, and whether imposed on the hull of the ship or on the flag or cargo. (Art. VIII.)

(b) Any dues payable by vessels of either country seeking refuge in ports of the other from damage or shipwreck; with special reference to dues for salvage operations and preservation of property saved. (Art. XIV.)

(c) Protection by either country of subjects of the other in all that concerns ownership of trade and commercial marks, upon fulfillment of legal formalities relating thereto. (Art. XV.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all obligatory official functions (except jury service); and from all military service, exactions, and requisitions, except charges connected with possession of landed property. (Art. II.)

(b) British merchandise entering Bulgaria shall pay duties specified in tariff annexed to this convention. (Art. V and table annexed.)

(c) Products of either country imported into the other for warehousing or transit are exempt from any internal duty. (Art. VI.)

(d) Nationality of vessels to be determined by the laws of each country. (Art. IX.)

(e) No customs duties payable in ports of either country by ships of the other on cargo not discharged at that port. (Art. XI.)

(f) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage. (Art. XII.)

(g) Arbitration of disputes concerning interpretation or application of provisions of this treaty, or concerning rates of conventional tariffs of either country, and statement of procedure relating thereto. (Art. XVIII and final protocol.)

(h) Right of British shipping companies to hire offices, storehouses, and lands within the zone in Bulgarian ports. (Final protocol.)

(i) Extensive and detailed list of taxes to be levied on merchant vessels frequenting Bulgarian ports. (Annex.)

(j) Declaration concerning abolition of British consular jurisdiction in Bulgaria. (Annex.)

(k) Notes relating to storage of goods in bonded warehouses. (Annex.)

V. Exceptions.

(a) The stipulations of this convention do not apply to:

(1) Advantages which either country may accord to the produce of national fisheries. (Art. XVI.)

(2) State monopolies in Bulgaria on gun powder, tobacco, alcohol, petroleum, salt, matches, cigarette paper, and playing cards. (Final protocol.)

(b) Provisions of Articles I to XVI do not apply to:

(1) Favors which either country may grant to adjoining States to facilitate frontier traffic within 15 kilometers of the boundary.

(2) Obligations which may be imposed on either country by stipulations of a customs union. (Art. XVII.)

VI. Application to British colonies.—The stipulations of this convention are not applicable to British colonies, possessions, or protectorates beyond the seas, unless notice to that effect was given before 26 Nov. 1908.

Nevertheless, the products of any British colony, possession, or protectorate are entitled to complete and unconditional most-favored-nation treatment in Bulgaria, so long as Bulgarian products receive in such colony, possession, or protectorate treatment as favorable as products of any other foreign country.

This convention is terminable separately, on 12 months' notice, with regard to any colony, possession, or protectorate which may have adhered thereto. (Art. XX.)

For extensive list of colonial accessions (which, however, does not include Australia, Canada, India, Newfoundland, New Zealand, or South Africa), see Hdb. 1912: 79.

See also Treaty of Neuilly, No. 210.

Treaties with China.

No. 143.

Treaty of Nanking between Great Britain and China.

SIGNED 29 Aug., 1842. Ratifications exchanged 26 June, 1843. Duration indefinite. (Art. XIII.)

TEXT: English, Hbd. 1912: 83-7; B. F. S. P. 30: 399-402; Hertslet's China Tr. I: 7-12.

(1) Subjects of either country shall enjoy in the dominions of the other full security and protection for their persons and property. (Art. I.)

(2) Amoy, Canton, Foochowfoo, Ningpo, and Shanghai are opened to residence and trade of British subjects; British consular officers to be appointed at each of these towns. (Art. II.)

(3) Cession of Island of Hong Kong to Great Britain. (Art. III.)

(4) Abolition of exclusive privileges of Hong merchants at ports open to British merchants, who in future shall be permitted to deal at all such ports with whatever persons they please. (Art. V.)

No. 144.

Treaty of peace, friendship, and commerce (treaty of Tientsin) between Great Britain and China.

SIGNED 26 June, 1858. at Tientsin. Ratifications exchanged 24 Oct., 1860. Duration indefinite. The tariff and commercial articles of this treaty are subject to revision at the end of each 10-year period on demand from either party. (Art. XXVII.)

TEXT: English, B. F. S. P. 48: 47-70; Hdb. 1912: 92-107; Hertslet's China, Tr. I: 18-35.

I. Most-favored-nation treatment is pledged by China to the British Government and its subjects respecting free and equal participation in all privileges, immunities, and advantages which China may grant to the Government or subjects of any other nation (Art. LIV); with special reference to privileges and immunities of British consular officers in any of the open ports or cities of China (Art. VII); and payment of duties on all merchandise imported or exported by British subjects (Art. XXIV-V).

II. Other provisions.

(a) The British Government and its subjects are confirmed in all privileges, immunities and advantages conferred on them by previous treaties. (Art. LIV.)

(b) Confirmation of the treaty of 29 Aug. 1842. (Art. I.)

(c) Either country may appoint ambassadors or other diplomatic agents to the court of the other. (Art. II.)

(d) Reciprocal privileges accorded by either country to ambassadors from the other. (Arts. III-VI.)

(e) British consuls may be appointed to reside in any of the open ports or cities of China. (Art. VII.)

(f) Protection by Chinese authorities of persons teaching or professing the Christian religion. (Art. VIII.)

(g) Freedom of travel in the interior granted to British subjects, under passports issued by their consuls. (Art. IX.)

(h) Opening to British subjects and their trade of three ports upon the Yang-Tse River; and of the ports of New Chwang, Chefoo, Tai-Wan, Swatow, and Kiung-Chow, with the same privileges, advantages and immunities as at ports already opened to trade, including the right of residence, buying or renting houses, leasing land, and building churches, hospitals, and cemeteries. (Arts. X,

XI.) The port of Tientsin was likewise opened to British residence and trade by Article IV of the convention of 24 Oct. 1860.⁴²

(i) No restrictions to be placed on British subjects by the Chinese Government respecting employment of Chinese subjects in any lawful capacity; or against hiring of boats for transport of goods or passengers. (Arts. XIII, XIV.)

(j) Jurisdiction of British authorities in all questions between British subjects regarding rights of property or person (Art. XV); British consular jurisdiction in case of crimes committed by British subjects in China (Art. XVI): consular intervention in disputes between British subjects and Chinese (Art. XVII).

(k) Fullest protection by Chinese authorities of British subjects and their property from insult and violence. (Art. XVIII.)

(l) Assistance to British vessels plundered by robbers or pirates (Art. XIX), and to shipwrecked or stranded vessels compelled to take refuge in Chinese ports (Art. XX).

(m) British and Chinese fraudulent debtors to be brought to justice by their respective authorities. (Arts. XXII, XXIII.)

(n) Transit dues payable in China to be published by Chinese authorities. Any British subject to have the option to clear his goods of all transit duties by payment of a single charge, after which such goods shall be exempt from all further inland charges whatsoever. (Art. XXVIII.)

(o) Detailed provisions regarding tonnage dues (Arts. XXIX-XXXI); pilotage (Art. XXXV); customhouse guards (Art. XXXVI); ship's papers and bills of lading (Art. XXXVII); permits to discharge goods, and for landing, loading, and transshipment of cargoes (Arts. XXXVIII-XL); port clearance (Art. XLI); mode of levying ad valorem duties on goods (Arts. XLII-XLIV); reexportation of duty-paid goods, and drawbacks (Art. XLV).

(p) British vessels trading with Chinese ports not opened by treaty are liable to confiscation with their cargoes. (Art. XLVII.)

No. 145.

Convention between Great Britain and China relative to Burmah and Tibet.

—SIGNED 1 Mar., 1894, and revised 4 Feb., 1897.⁴³ Ratifications exchanged 23 Aug., 1894, and 5 June, 1897. Duration indefinite. The arrangements regarding trade and commerce are subject to revision after 23 Aug., 1900, on demand from either party. Failing agreement as to terms of revision, the existing arrangements continue in force. (Art. XIX.)

TEXT: English, B. F. S. P. 87: 1311-19; Hdb. 1912: 140-9; Martens 70: 794-802.

I. Most-favored-nation treatment is reciprocally pledged in general terms (but limited to those parts of each other's dominions to

⁴² English, Hdb. 1912: 116-19; Hertslet's China Tr. I: 48-53; B. F. S. P. 50: 10-12.

⁴³ English, B. F. S. P. 89: 25-30; Hdb. 1912: 150-5.

which this convention expressly relates), regarding all privileges, immunities, and advantages which either country may accord to subjects of any other nation (Art. XVII); with special reference to privileges and immunities to be accorded to each other's consuls at places named (Art. XIII).

II. National treatment is pledged by Great Britain to Chinese vessels carrying merchandise, ores, and minerals of all kinds, and coming from or destined for China, respecting conditions of navigation on the Irrawaddy River. (Art. XII.)

III. Other provisions.

(a) Subject to specified prohibitions regarding trade in munitions of war (Art. X), opium and spirituous liquors (Art. XI), Great Britain consents to duty-free admission of Chinese products (except salt) by land into Burmah until 23 Aug., 1900; and for the same period consents to duty-free export of British manufactures and Burmese products (except rice) to China by land. The duties on salt and rice so imported and exported not to be higher than when imported or exported by sea. (Art. VIII.)

(b) China consents that until 23 Aug., 1900, the duties on goods imported into China by overland routes shall be those of her maritime customs diminished by three-tenths; and that the duties on goods exported from China by the same routes shall be those of the same general tariff diminished by four-tenths. (Art. IX.)

(c) Trade between Burmah and China in specified munitions of war is prohibited, save at the requisition of the Government desiring their importation. (Art. X.)

(d) Prohibition of importation and exportation of opium and spirituous liquors across the land frontier of Burmah and China; and prohibition of exportation from China into Burmah of cash, rice, pulse, and grains of every kind. (Art. XI.)

(e) Provisions relating to passports between Burmah and China. (Art. XIV.)

(f) Additional British consuls may be stationed at places named, and British subjects may trade there under the same conditions as at treaty ports. (Art. XIII.)

(g) Designation of additional ports of call for goods and passengers. (Agmt. of 4 Feb., 1897,⁴³ Special article.)

⁴³ English, B. F. S. P. 89: 25-30; Hdb. 1912: 150-5.

No. 146.

Treaty between Great Britain and China respecting commercial relations, etc.

SIGNED 5 Sept., 1902, at Shanghai. Ratifications exchanged 28 July, 1903, at Peking. Duration indefinite. Subject to revision every 10 years on demand from either party. (Art. XV.)

TEXT: English (authentic), B. F. S. P. 95: 39-55; Hdb. 1912: 181-99; Hertslet's China Tr. I: 171-88.

I. Most-favored-nation treatment is pledged by China to products of British dominions, by whomsoever imported, respecting any future tariff concession which China may accord to products of any other State. (Art. XV.)

II. Other provisions.

(a) Drawback certificates issued by Chinese customs to be valid for payment of import and export duties, and to be payable in cash under conditions stated. (Art. I.)

(b) Uniform Chinese coinage to be legal tender in payment of all duties, taxes, and other obligations throughout China. (Art. II.)

(c) Duties and likin on goods carried by junks from Hongkong to treaty ports in Canton Province shall together not be less than duties on similar goods carried by steamer. (Art. III.)

(d) Subjects of either country may hold shares in joint stock companies of the other on a footing of perfect equality, as far as mutual obligations are concerned. (Art. IV.)

(e) Improvement of navigation of the Canton and the upper Yang-tze Rivers. (Art. V.)

(f) Facilities for bonding and repacking merchandise in bond at open ports. (Art. VI.)

(g) Protection and registration of British trade-marks in China. (Art. VII.)

(h) Abolition by China of likin and of other internal taxes on foreign trade, and substitution therefor of surtaxes on imports and exports, and of a consumption tax on Chinese products not intended for export; all on condition that other powers entitled to most-favored-nation treatment in China enter into the same engagement. Such surtax on foreign imports shall in no case exceed one and a half times the import duty, and payment of duty and surtax shall secure for foreign imports complete immunity from all other taxation. The total duty on native produce for export shall under no circumstances exceed seven and one-half per cent ad valorem. Procedure specified in detail. (Art. VIII, secs. 1-16, and Annex A and B.)

(i) Promise by China to revise mining regulations, with a view to encouraging mining enterprises. (Art. IX.)

(j) Rules regarding steam navigation of inland waters of China: ports of call opened on the West River. (Art. X and Annex C.)

(k) Prohibition of imports of morphia into China, except for medical purposes in the manner specified. (Art. XI.)

(l) Promise by Great Britain to abandon her extraterritorial rights after satisfactory reformation of China's judicial system. (Art. XII.)

(m) Promise by Great Britain to join in a future international commission for investigation of the missionary question to secure peace between converts and nonconverts. (Art. XIII.)

(n) China may prohibit export of rice or grain from districts where scarcity or famine is expected. (Art. XIV.)

(o) Existing treaties between the United Kingdom and China continued in force, so far as not modified by this treaty. (Art. XV.)

Treaty with Colombia.

No. 147.

Treaty of friendship, commerce, and navigation between Great Britain and Colombia.

SIGNED 16 Feb., 1866. Ratifications exchanged 17 Oct., 1866. Effective for 10 years, and thereafter indefinitely, subject to termination by 12 months' notice from either party. (XXII.)

TEXT: English and Spanish, B. F. S. P. 56:13-29; Spanish, Colombia Tr. Pub. 1883:105-17; English. Hdb. 1912:217-26.

I. Most-favored-nation treatment is reciprocally pledged throughout the dominions and possessions of both countries (subject to exceptions noted below) in regard to:

(a) Terms and conditions regarding free and secure access with ships and cargoes to all places, ports, and rivers open to foreigners in either country. (Art. II.)

(b) Duties or prohibitions imposed upon importation into either country of products of the other. (Art. III.)

(c) Duties, charges, or prohibitions imposed by either country on exportation of any articles to the other. (Art. IV.)

(d) All privileges, exemptions, and immunities accorded to diplomatic and consular officers by either country. (Art. XIII.)

(e) Acquisition, possession, and disposal of, or succession to, every description of property in any manner whatever, subject to conditions established by laws of the country for all foreigners. (Art. XVII.)

II. National treatment is reciprocally pledged in regard to:

(a) All rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce and navigation (Art. II); except the coasting trade of both countries (Art. IX).

(b) All that relates to transit trade, warehousing, bounties, facilities, and drawbacks. (Art. V.)

(c) All articles which may be legally imported into, or exported from, either country in its own vessels, may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination; without paying other or higher duties or charges of any kind, and subject to the same bounties and drawbacks; as when carried in national vessels (Art. VI); except coasting trade (Art. IX).

(d) All duties of tonnage, harbor, pilotage, lighthouse, quarantine, and all similar or corresponding duties of whatever nature, no matter by whom or how levied in ports of either country on ships of the other, from whatever place arriving and whatever their destination. (Art. VII.)

(e) All privileges in regard to stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbors, or rivers of either country (Art. VIII); except coasting trade (Art. IX).

(f) Any duties imposed on vessels of either country loading or unloading foreign cargoes at different ports of the other on the same voyage. (Art. IX.)

(g) All rights relating to trade-marks and designs of every description applicable to articles of manufacture. (Art. XII).

(h) All general and local taxes, and all imposts or obligations of whatever kind, imposed by either country in respect of persons, property, commerce, and industry, or in respect to passports and licenses for residence and establishment. (Art. XIV.)

(i) All imposts, duties, or charges concerning acquisition, possession, and disposal of, or succession to, property of all kinds in any manner whatever, including export thereof or of proceeds if sold; also as regards manner of succession to property and legal forms relating thereto; and treatment of inherited property in absence of heirs and representatives. (Art. XVII.)

(j) All rights and privileges concerning access to courts of justice and employment of advocates or others therein. (Art. XVIII.)

(k) Any charges or demands made by either country upon property or effects of citizens of the other, in case of rupture or war between the two countries. (Art. XIX.)

(l) Any dues, duties, or charges payable by warships or merchant vessels of either nation seeking refuge from damage or shipwreck in waters or ports of the other; salvaged merchandise being exempt from all customs duties unless cleared for consumption. (Art. XX.)

III. Other provisions.

(a) Any import duty levied ad valorem in either country shall be calculated on value of the object at place of production, adding cost of transport, insurance and necessary commission to the port of discharge. Written declarations of value to be made by importers at the customhouse. In case the valuation thus declared is deemed insufficient, customhouse authorities may, within 15 days following such declaration of value, take the goods on paying importers the value declared, plus 5 per cent. (Art. XI.)

(b) Citizens of either nation to enjoy in the other complete liberty of conscience and religious belief, and undisturbed exercise of religion in private houses, churches, or other places destined for worship; also right to establish and maintain cemeteries, subject to the laws of the country. (Art. XV.)

(c) Exemption of each other's citizens from all compulsory military service whatever, by land or sea, and from all contributions imposed as compensation therefor; also from forced loans and military exactions or requisitions, and from all judicial and municipal functions whatever. (Art. XVI.)

(d) Dwellings, factories, warehouses, shops, and other premises destined for residence or commerce in either country and belonging to citizens of the other, also their books, papers, and accounts are exempt from examination or inspection, except upon legal warrant or written order of a tribunal or other competent authority. (Art. XVIII.)

(e) In case of rupture or war, citizens of either country residing in the other may remain and continue their occupation or trade freely and securely so long as they behave peaceably and observe the laws; their property of every description to be exempt from seizure, detention, or sequestration. In case they decide to leave the country, they are allowed from six to twelve months to wind up their accounts and dispose of their property, and shall have a safe conduct to a port of their own selection. (Art. XIX.)

IV. Exceptions.—Most-favored-nation treatment and national treatment provisions in Articles I to VIII. of this treaty do not apply to the coasting trade, which remains subject to the particular laws of each country. (Art. IX.)

V. Application to British colonies.—This treaty is terminable by 12 months' notice from either party separately in respect to Canada, Australia,⁴⁴ New Zealand, South Africa, and Newfoundland. (Protocol, 20 Aug., 1912.⁴⁵)

⁴⁴Australia (with Papua and Norfolk Islands) has withdrawn as from 15 Apr., 1914. (Hertslet 27: 100.)

⁴⁵English, Hdb. 1912: 226; B. F. S. P. 107: 358; Hertslet 26: 90.

Treaty with Costa Rica.

No. 148.

Treaty of friendship, commerce, and navigation between Great Britain and Costa Rica.

SIGNED 27 Nov., 1849. Ratifications exchanged 26 Feb., 1850. Duration indefinite. Articles V, VI, and VII (relating to duties, bounties, drawbacks, and prohibitions regarding imports and exports, and dues or local charges on shipping), being terminable separately (Art. XV), were terminated 26 Nov., 1897.

TEXT: English and Spanish, B. F. S. P. 37:20-32; Martens 43:650-65; Spanish, Costa Rica Tr. 1907:101-11; English, Hdb. 1912:233-9.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms throughout the territories, dominions, and settlements of either country (Arts. III, IV), in respect of any favor, privilege, or immunity which either party may grant in matters of commerce and navigation (Art. IV); except the coasting trade of both countries (Art. II).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Free and secure access with ships and cargoes (including mail boats and warships) to all places, ports, and rivers open to foreigners in either country. (Art. II.)

(b) All privileges, exemptions, and immunities accorded to diplomatic and consular offices by either country. (Art. XI.)

II. National treatment is reciprocally pledged in regard to:

(a) Right of citizens of either country to manage their affairs in the other personally or otherwise, without being obliged to employ brokers, interpreters, etc., other than those employed by native citizens, or to pay other or higher remuneration than native citizens pay. (Art. VIII.)

(b) All rights and privileges concerning protection of persons and property, including open access to courts of justice and employment of advocates or others therein. (Art. VIII.)

(c) All privileges, liberties, rights, duties, and imposts relating to police of the ports; loading and unloading of ships; safety of merchandise, goods and effects; administration of justice; and acquisition or disposal of, or succession to, property of every kind in any manner whatever. (Art. IX.)

(d) Payment of ordinary charges, requisitions, and taxes in either country (Art. X); also any demands made upon property for military purposes, or in case of rupture or war between the two countries (Art. XII).

III. Other provisions.

(a) Citizens of either country may reside in any part of the other open to foreigners, and may hire and occupy houses and warehouses, with complete protection and security for commerce in all respects; subject always to the laws and statutes of the country. (Art. II.)

(b) Exemption of each other's citizens from all compulsory military service whatever, by sea or land, and from all forced loans and military exactions or requisitions. (Art. X.)

(c) In case of rupture or war, citizens of either country residing in the other may remain and continue their trade or employment without interruption so long as they behave peaceably and commit no offense against the laws. In case they decide to leave the country, they have from 6 to 12 months to wind up their accounts and dispose of their property, which shall not be liable to seizure or sequestration. (Art. XII.)

(d) Freedom of religious belief and worship, and right to establish and build churches, chapels, and cemeteries. (Art. XIII.)

(e) Costa Rica agrees to cooperate with Great Britain for total abolition of the slave trade. (Art. XIV.)

IV. Application to British colonies.—This treaty is terminable by either party at any time on 12 months' notice separately with respect to Canada, Australia,⁴⁶ New Zealand, South Africa, and Newfoundland. (Protocol, 18 Aug., 1913.⁴⁷)

Treaty with Czechoslovakia.

See No. 257.

Treaty with Denmark.

No. 149.

Treaty of peace and commerce between Great Britain and Denmark.

SIGNED 13 Feb., 1660–1. Duration indefinite. Renewed and confirmed by Article XIII of treaty of peace, signed 14 Jan., 1814. (B. F. S. P. 1: 234–44.)
TEXT: English (transl.), B. F. S. P. 1: 375–81; Hdb. 1912: 241–8.

I. Most-favored-nation treatment is reciprocally pledged in general terms with regard to:

(a) All liberties, immunities, and privileges relating to residence, commerce, navigation, fishing, and trading in either country; with special reference to customs, tributes, tolls, and other duties; except special favors granted by Denmark to Swedes. (Art. XIII.)

(b) Any agreements, covenants, exemptions, or privileges better than those contained in this treaty which either party may grant to the Dutch or to any other nation whatever, except only special favors granted by Denmark to Swedes. (Art. XXIV.)

II. Most-favored-nation treatment is pledged by Denmark in regard to dispatch and discharge of British vessels at Elsinore; ex-

⁴⁶Australia (with Papua and Norfolk Island) has withdrawn, as from 11 Sept., 1915. (Hertslet 27: 100.)

⁴⁷English, Hertslet 27: 101; G. B. T. S. 1913, No. 16, Cd. 7097.

cept privileges obtained of old by inhabitants of certain places. (Art. XXIII.)

III. Other provisions of this treaty relate to freedom of commerce (Arts. VI, VII); wrecks and salvage (Arts. VIII, XV); vessels in distress (Art. XIV); administration of justice (Art. XVI); timber trade (Art. XVIII); suppression of piracy (Art. XIX); access of vessels to ports (Art. XX); and payment of Sound dues (Art. XXII).

IV. Application to British colonies.—This treaty is terminable by either party at any time on 12 months' notice, with respect to Canada, Australia⁴⁸ (with Papua and Norfolk Island), New Zealand, South Africa, and Newfoundland. (Decl. 9 May, 1912.⁴⁹)

No. 150.

Treaty of peace and commerce between Great Britain and Denmark.

SIGNED 12 July, 1670. Duration indefinite. Renewed and confirmed by Article XIII of the treaty of peace signed 14 Jan., 1814. (French and English, B. F. S. P. 1: 234-43.)

TEXT: English (transl. from Latin original), B. F. S. P. 1: 381-99: Hdb. 1912: 249-69.

I. Most-favored-nation treatment is reciprocally pledged in regard to any articles, agreements, exemptions, or privileges better than those contained in this treaty which either party may grant to the Dutch or to any other nation whatever, except only special favors granted by Denmark to Swedes. (Art. XL.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Importation of all kinds of commodities into ports of either nation by subjects of the other. (Art. VII.)

(b) Payment of customs, tributes, tolls, and other duties, and all liberties, immunities, and privileges relating to residence, commerce, navigation, fishing, trading, and all other things, except special favors granted by Denmark to Swedes. (Art. VIII.)

(c) Duties payable on merchandise landed by British subjects at Elsinore only for storage and reexportation, or landed at British ports for the same purpose by Danish subjects. (Art. XIII.)

II. Other provisions relate to:

(a) Disposal of intestate estates in either country, the Consul or Minister having right of possession. (Art. XV.)

(b) Freedom of citizens of either country to reside in the other for purposes of wholesale trade. (Art. XVII.)

⁴⁸Australia (with Papua and Norfolk Island) has withdrawn as from 8 Feb., 1915. (Hertslet 27: 102.)

⁴⁹English, Hertslet 26: 102-3.

(c) Customs duties to be paid according to the printed tariff annexed to treaty. (Art. XVIII and annex.)

(d) Passports and certificates to be in the form specified. (Art. XX.)

(e) Speedy administration of justice according to laws of each country. (Arts. XXII, XXIV.)

(f) Assistance to each other's vessels in case of damage or shipwreck. (Art. XXV.)

(g) Freedom of vessels and their cargoes, officers, or crews from arbitrary arrest or seizure. (Art. XXVI.)

(h) Permission to merchants, mariners, etc., to bear arms. (Art. XXVII.)

(i) Free access to ports for merchant vessels, and a restricted number of warships. (Art. XXX.)

(j) Appointment of diplomatic and consular officers. (Art. XXXVIII.)

(k) All former treaties to continue in force, so far as not contrary to this treaty. (Art. XLI.)

(l) Numerous special provisions relating largely to duties of either nation when the other is at war. (Arts. XXXI-VII.)

III. Application to British colonies.—This treaty is terminable on 12 months' notice by either party in respect to Canada, Australia,⁵⁰ New Zealand, South Africa, and Newfoundland. (Decl. of 9 May, 1912.⁵¹)

No. 151.

Convention of commerce between Great Britain and Denmark.

SIGNED 16 June, 1824, at London. Effective for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. VII.)

TEXT: English and French, B. F. S. P. 12: 44-9; Hdb. 1912: 274-7.

I. National treatment is reciprocally pledged in regard to:

(a) All duties or charges on vessels of either country entering or departing from ports of the other. (Art. I.)

(b) Any products of either country which may be imported into or exported from either country in its own vessels, may in like manner be imported or exported in ships of the other. (Art. II.)

(c) Foreign goods (i. e. products of third countries) which can be legally imported into either country in vessels of the other shall be subject only to the same duties as when brought in ships of the importing country. (Art. III.)

(d) Any merchandise which can legally be imported into or exported from either country shall when carried in ships of the other

⁵⁰Australia (with Papua and Norfolk Island) has withdrawn, as from 7 Feb., 1915. (Hertslet 27: 102.)

⁵¹Hertslet 26: 102-3.

be admitted at the same rate of duty, and be entitled to the same bounties, drawbacks, and licenses, as when carried in national vessels. (Art. IV.)

(e) No preference shall be given by the Government, nor in its behalf or under its authority, directly or indirectly, in the purchase of any products of either country imported into the other, on account of the character of the vessels importing the same. (Art. V.)

(f) Duties levied by either country on personal property of subjects of the other, upon removal thereof from the country, by inheritance or otherwise. (Addl. art.)

II. Application to colonies.—The colonies of both countries (including Greenland, Iceland, and the Ferroe Islands) are excluded from the provisions of this convention. (Art. VI and addl. art.)

Treaty with Egypt.

No. 152.

Commercial convention between Great Britain and Egypt.

SIGNED 29 Oct., 1889, at Cairo. Effective from 1 Jan., 1890, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XVI.)

TEXT: English, Hdb. 1912: 283-92; English and French, B. F. S. P. 81: 1274-89.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any privilege, favor, or immunity which either party may grant to natives of any other State in matters relating to commerce and navigation. (Art. IV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All duties or prohibitions imposed by either country on importation of products of the other from whatever place arriving, except sanitary and other prohibitions designed to protect the safety of persons or of cattle, or of plants useful to agriculture. (Art. II.)

(b) Any duties, charges, or prohibitions imposed by either country against exportation of any article to the other. (Art. III.)

(c) Compensatory duties which either country may impose on imports from the other equivalent to excise taxes or inland duties imposed on similar articles of domestic production. (Art. IX.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Any restrictions or duties which either country may impose on ships of the other regarding importation or exportation of any

articles from whatever place arriving and whatever the place of their origin. (Art. V.)

(b) Application to British subjects of any regulations and tariffications concerning articles not limited to the Egyptian import duty noted below under IV b. (Art. VI.)

III. National treatment is reciprocally pledged in general terms respecting all rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce and navigation and payment of taxes or imposts relating thereto. (Art. I.)

National treatment is further reciprocally pledged with regard to:

(a) Access with ships and cargoes to all places and ports open to natives in either country. (Art. I.)

(b) Treatment by either country of ships of the other in all matters connected with navigation in every respect from whatever place arriving and whatever the origin or destination of the cargoes, with special reference to pilotage and local treatment, dues, and charges in ports, basins, docks, roadsteads, and harbors, except the coasting trade and interior navigation of either country. (Art. V.)

(c) Application to subjects and merchandise of either country by customs authorities of the other of the regulations concerning special taxes and accessory customs duties, such as dues for porters, warehousing, depositing, weighing, measuring, and similar remuneratory dues (Art. IX); also all regulations concerning supervision of ships, fines, penalties, smuggling, etc. (Art. XII.)

IV. Other provisions.

(a) Nationality of vessels to be reciprocally recognized in accordance with the laws of each country. (Art. V.)

(b) Specified British products to pay *ad valorem* duties not exceeding 10 per cent on importation into Egypt. (Arts. VI, VII.)

(c) Export duties levied in Egypt not to exceed 1 per cent *ad valorem*. (Art. VIII.)

(d) Merchandise to be transhipped is free from all import or export duties, except articles intended for the use of vessels which ship them. (Art. VIII.)

(e) Right of Egyptian municipalities and communes to levy octroi and excise duties on drinks, liquids, victuals, fodder, combustibles, and building materials. (Art. IX.)

(f) Detailed provisions concerning duty-free admission of commercial travelers' samples, subject to customs formalities relating thereto. (Art. X.)

(g) Personal effects of consular officers (as defined) are exempt from all control of Egyptian customs, and from payment of import or export duties. (Art. XI.)

(h) Detailed provisions concerning customs valuations (Arts. VI, VII), suppression of fraud and smuggling, and search of houses and ships (Art. XII).

V. Exceptions.

(a) The provisions of this convention do not apply to:

(1) Tobacco, tombac, salt, saltpeter, natron, hashish, arms, munitions, gunpowder, and explosive material. (Art. II.)

(2) Any special arrangement between Egypt and other parts of the Ottoman Empire under the direct administration of the Porte, or between Egypt and Persia. (Art. XIII, 1.)

(3) Arrangements which Egypt may make for exchange of native or foreign merchandise with the Sudan. (Ibid., 2.)

(b) Articles I to V do not apply to the coasting trade and interior navigation, which remain subject to the respective laws of the two countries. (Art. V.)

VI. Application to colonies.—This convention does not apply to any British colony, possession, or protectorate beyond the seas, unless notice to that effect was given by Great Britain before 17 Dec., 1908, and is terminable separately at any time on 12 months' notice on behalf of any British colony, possession, or protectorate which may have acceded thereto. (Agmt. of 16 Dec., 1907.⁵²)

For a long list of accessions (which includes India, New Zealand, and Newfoundland, but not Canada, Australia, or South Africa), see B. F. S. P. 102: 74-5; Hertslet 25: 241-2; 27: 808.

Treaty with Ethiopia (Abyssinia).

No. 153.

Treaty between Great Britain and Ethiopia (Abyssinia).

SIGNED 14 May, 1897, at Addis Abbaba. Duration indefinite.

TEXT: English, B. F. S. P. 89: 31-4; French transl. (authentic), B. F. S. P. 89: 34-5; Hdb. 1912: 296-9.

I. Most-favored-nation treatment.—The Emperor of Ethiopia accords to Great Britain and her colonies, in respect of import duties and local taxation, every advantage which he may accord to the subjects of other nations. (Art. IV.)

II. Other provisions.

(a) The subjects and protected persons of either country shall have full liberty to come and go and engage in commerce in the other, enjoying the protection of the Government; but armed bands may not cross the frontier without previous authorization from the competent authorities. (Art. I.)

(b) The caravan route described shall remain open throughout its whole extent to the commerce of both nations. (Art. III.)

⁵² English, B. F. S. P. 100: 493.

(c) All material destined exclusively for service of the Ethiopian State shall be admitted through the port of Zeyla into Ethiopia free of duty. (Art. IV.)

(d) Transit of arms and munitions of war for the Emperor of Ethiopia through territory under British control is authorized, subject to conditions prescribed by the general act of Brussels, signed 2 July, 1890.⁵³ (Art. V.)

Treaties with France.

No. 154.

Convention of commerce and navigation between Great Britain and France.

SIGNED 26 Jan., 1826. Denounced by France on 10 Sept., 1918, and now terminable by three months' notice from either party. (Art. VII; G. B. T. S. 1919, No. 10, Cmd. 302.)

TEXT: English and French, B. F. S. P. 13:3-12; English, Hdb. 1912:307-12; French, Martens 14 (pt. 2):884-90.

I. Most-favored-nation treatment of each other's vessels is reciprocally pledged in the intercourse of navigation between the two countries. (Art. IV.)

II. National treatment is reciprocally pledged in regard to:

(a) All duties of tonnage, harbor, lighthouse, pilotage, quarantine, and all similar or corresponding duties, levied by either country on ships of the other coming from or departing for either of the two countries, or from or to any place if in ballast. (Art. I.)

(b) Merchandise legally importable into either country from the other in vessels of the latter shall not be subject to higher duties than if brought in ships of the importing country. (Art. II.)

(c) All merchandise legally exportable from either country shall pay the same duties of exportation, and be entitled to the same bounties, drawbacks, and other similar allowances, whether exported in vessels of either nation, provided said vessels proceed direct from ports of one country to those of the other. (Art. III.)

(d) Duties payable by vessels of either nation importing products of their home country or of its dominions into colonies of the other, including duties imposed on the merchandise itself (except colonies of the East India Co., and merchandise not allowed to be imported into the colonies, or importable only from dominions of the Mother Country; and except also Canada and Australia as noted below); Great Britain reserving the right to add to the limited list of articles importable into British colonies only in British ships, such additional products of French dominions as may be necessary for placing the commerce and navigation with each other's colonies on a footing of fair reciprocity. (Addl. art. I.)

⁵³ French, B. F. S. P. 82:55-81; Martens 66:3-29. Abrogated by convention of 10 Sept. 1919, as between the parties to the latter, except as noted in this volume under No. 502.

(e) Duties, bounties, drawbacks, and other similar allowances relating to exports from colonies of either country in ships of the other; except colonies of the East India Co., and except merchandise exportable only in vessels of the Mother Country. (Addl. art. II.)

III. Other provisions.—Fishing boats of either country seeking shelter in ports or on coasts of the other are exempt from all duties of port charges, on condition of not receiving or discharging cargo. (Art. V.)

IV. Exceptions and reservations.

(a) As products of Asia, Africa, and America could not then be imported into the United Kingdom in French vessels, nor imported from France in vessels of any nationality for home consumption, but only for warehousing and reexportation, France reserved the right to impose corresponding restrictions regarding importation of products of those countries into France. (Art. II.)

(b) As products of European countries could be imported in British ships into France for consumption only from some port in the United Kingdom, Great Britain reserved the right to impose corresponding restrictions regarding importation of European products in French vessels. (Art. II.)

V. Application to British colonies.—The two additional articles cited under II *d-e* above shall not apply to Canada, and shall be terminable by Great Britain on 12 months' notice in respect to Australia,⁵⁴ New Zealand, South Africa, and New Foundland. (Protocol, 6 July, 1912.⁵⁵)

No. 155.

Convention between Great Britain and France to regulate commercial and maritime relations.

SIGNED 28 Feb., 1882. Ratifications exchanged 12 May, 1882. Denounced by France on 10 Sept., 1918, and now terminable by three months' notice from either party. (G. B. T. S. 1919, No. 10, Cmd. 302.)

TEXT: French and English, B. F. S. P. 73: 22-31; Martens 58: 659-66; English, Hdb. 1912: 314-19; French, Clercq 13: 336-41.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) in regard to all favors, immunities, or privileges which either party may concede in matters of commerce and industry. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All that relates to transit, warehousing, exportation, reexportation, local dues, brokerage, customs formalities, and samples; also

⁵⁴Australia (with Papua and Norfolk Island) has withdrawn, as from 28 Nov., 1913. (Hertslet 27: 112.)

⁵⁵English, Hdb. 1912: 378; English and French, B. F. S. P. 105: 271-2.

residence, and exercise of commerce, industry, callings, or professions; payment of taxes or other imposts; and all legal rights and privileges, including the acquiring, holding, and power of disposing of property. (Arts. I, II.)

(b) Any prohibition of importation or exportation enforced by either country against the other. (Art. III.)

II. National treatment is reciprocally pledged (subject to exceptions noted below) in regard to:

(a) Duties of octroi, excise, and internal consumption payable in either country on imported products of the other. (Art. IV.)

(b) Treatment by either country of vessels of the other and their cargoes, from whatever place arriving, and whatever the place of origin or destination of the cargoes. (Art. VII.)

(c) Local treatment of each other's vessels regarding all privileges, favors, or advantages granted to national vessels and their import or export cargoes, with special reference to tonnage, landing, or shipping dues, whether levied by the State, towns, or corporate bodies; and all that relates to placing, loading, and unloading of vessels; also dues or charges in ports, docks, waters, or rivers of either country; and formalities or regulations to which merchant ships and their crews or cargoes are subject. (Art. VIII.)

(d) Protection of each other's citizens in regard to rights of property in trade-marks, patterns, and designs, and other distinctive marks showing origin or quality of goods. (Art. X.)

III. Other provisions.

(a) Goods of all kinds passing to or from France and Algeria from or to the United Kingdom are free from all transit duties in either country; but the right is reserved of excluding from transit arms and munitions of war and spurious imitations. (Art. II.)

(b) Both countries reserve right to prohibit or restrict imports, exports, or transit of merchandise in case of war, or whenever necessary on sanitary grounds, or to prevent spread of cattle diseases or destruction of crops. (Art. II.)

(c) Detailed provisions regarding duty-free admission of commercial travelers' samples and patterns. (Art. VI.)

(d) Exemption of each other's citizens from military service and requisitions, forced loans, and other exceptional contributions, except when imposed on landed property. (Art. XI.)

IV. Exceptions.—The provisions of this convention do not apply to:

(a) Customs tariffs on products of either country imported into the other; these being regulated by internal legislation on both sides. (Art. I.)

(b) The coasting trade and fisheries of both countries. (Art. IX.)

V. Application to colonies.—This convention applies in terms only to the United Kingdom, France, and Algeria.

No. 156.

Convention between Great Britain and France relative to Tunis.

SIGNED 18 Sept., 1897. Ratifications exchanged 15 Oct., 1897. Duration indefinite, except that Article II is terminable after 1912 on six months' notice by either party.

TEXT: French and English. B. F. S. P. 89: 40-2; Martens, 75: 462-3; English, Hdb. 1912: 322-4; French, Clercq 20: 631-2.

I. Most-favored-nation treatment, as stipulated by treaties and conventions in force between the two countries, is extended to Tunis; the lowest customs tariffs being reciprocally guaranteed, as between the United Kingdom and Tunis, for a period of forty years (i. e., until 15 Oct., 1937); except that most-favored-nation treatment of the United Kingdom in Tunis does not comprise the treatment enjoyed by France. (Art. I.)

II. Other provisions.

(a) Treaties and conventions of every kind in force between France and Great Britain are extended to Tunis. (Art. I.)

(b) Great Britain agrees not to claim for its consuls, subjects, or establishments in Tunis other rights and privileges than those secured for it in France. (Art. I.)

(c) British cotton goods to be subject in Tunis to import duties not exceeding 5 per cent ad valorem, and to no other tax or impost whatsoever. (Art. II.)

No. 157.

Agreement between Great Britain and France concerning commercial relations between France and Zanzibar.

SIGNED 27 June, 1901. Ratifications exchanged 22 Feb., 1902.

TEXT: English and French. B. F. S. P. 94: 40-1; Martens 80: 586-7; English, Hdb. 1912: 328-9; French, France Tr. II: 389-90; Clercq 22: 30-2.

Most-favored-nation treatment is pledged by France to colonial produce originating in British Zanzibar on importation into France, Algeria, the French colonies and possessions, and the protectorates of Indo-China and Tunis, with reference to lowest customs duties applicable to similar produce of any other foreign origin. (Art. II.)

On the other hand, the valuation of brandy or liqueur originating in France, Algeria, or the French colonies, possessions, and protectorates named is reduced from 25 to 20 shillings per case of 12 bottles when imported into the British protectorate territory of Zanzibar. (Art. I.)

No. 158.

Convention between Great Britain and France concerning commercial relations between France and Jamaica.

SIGNED 8 Aug., 1902. Denounced by France on 10 Sept., 1918, and now terminable by three months' notice from either party. (G. B. T. S. 1919, No. 10, Cmd. 302.)

TEXT: French and English, B. F. S. P. 95: 64-6; Martens 81: 733-5; English, Hdb. 1912: 331-2; French, Clercq 22: 199-200.

I. Most-favored-nation treatment is reciprocally pledged respecting customs duties payable on specified French and Jamaica products when imported into France, Algeria, French colonies and possessions, and protectorates of Indo-China and Tunis; or imported into Jamaica from France, Algeria, French colonies, etc. (Arts. I and II.)

II. Other provisions.—Certificates of origin which may be required for this preferential treatment shall be visés by consuls free of consular fees. (Art. III.)

No. 159.

Convention between Great Britain and France regarding commercial relations between France and India.

SIGNED 19 Feb., 1903. Denounced by France on 10 Sept., 1918, and now terminable by three months' notice from either party. (G. B. T. S. 1919, No. 10, Cmd. 302.)

TEXT: English and French, B. F. S. P. 96: 29-30; Martens 84: 447-9; English, Hdb. 1912: 332-4; French, Clercq 22: 261-3.

I. Most-favored-nation treatment is reciprocally guaranteed respecting customs duties payable on specified French and Indian products when imported into France, Algeria, French colonies and possessions, and protectorates of Indo-China and Tunis; or imported into India from France, Algeria, French colonies, etc. (Arts. I and II.)

II. Other provisions.

(a) Import duties levied in India on vinegar and copperas produced in France, Algeria, French colonies, etc., not to exceed 2½ per cent ad valorem. (Art. II.)

(b) Certificates of origin which may be required for this preferential treatment shall be visés by consuls free of consular fees. (Art. III.)

(c) The privileges and engagements of this convention shall extend to native States of India which may be entitled by treaty or otherwise to be placed with regard to the stipulations of this convention on the same footing as British India. (Art. IV.)

No. 160.

Convention between Great Britain and France concerning commercial relations between France and Ceylon.

SIGNED 19 Feb., 1903. Denounced by France on 10 Sept., 1918, and now terminable by three months' notice from either party. (G. B. T. S. 1919, No. 10, Cmd. 302.)

TEXT: French and English, B. F. S. P. 96: 28-30; English, Hdb. 1912: 334-6; French, Clercq 22: 263-7.

I. Most-favored-nation treatment is reciprocally pledged respecting customs duties payable on specified French and Ceylon products when imported into France, Algeria, French colonies and possessions, and protectorates of Indo-China and Tunis, or imported into Ceylon from France, Algeria, French colonies, etc. (Arts. I and II.)

II. Other provisions.

(a) Duty on French vinegar and copperas to be reduced by 50 per cent. (Art. II.)

(b) Certificates of origin which may be required for this preferential treatment shall be visés by consuls free of consular fees. (Art. III.)

No. 161.

Convention between Great Britain and France concerning commercial relations between France and the British protectorates of East Africa, Central Africa, and Uganda.

SIGNED 23 Feb., 1903. Denounced by France on 10 Sept., 1918, and now terminable by three months' notice from either party. (G. B. T. S. 1919, No. 10, Cmd. 302.)

TEXT: English, B. F. S. P. 98: 48; Hdb. 1912: 336-7; French, Clercq 22: 69-71; English and French, Martens 84: 389-91.

I. Most-favored-nation treatment is reciprocally pledged respecting customs duties payable on specified products of France and of East and Central Africa and Uganda, when imported into France, Algeria, French colonies and possessions, and protectorates of Indo-China and Tunis, or imported into the British protectorates named from France, Algeria, French colonies, etc. (Arts. I and II.)

II. Other provisions.—Certificates of origin which may be required for this preferential treatment shall be visés by consuls free of consular fees. (Art. III.)

No. 162.

Declaration between Great Britain and France concerning Egypt and Morocco.

SIGNED 8 Apr., 1904. Effective for 30 years, and thereafter for successive periods of 5 years, unless denounced by either party at least 1 year in advance. (Art. IV.)

TEXT: French and English, B. F. S. P. 97: 39-53; Martens, 82: 15-57; English, Hdb. 1912: 338-41; French, Clercq 22: 507-18.

(1) Declaration that neither country will countenance any inequality in the imposition of customs duties or other taxes or of railway transport charges in Egypt and Morocco. (Art. IV.)

(2) Both Great Britain and France to retain their respective treaty rights in Egypt and Morocco, including the right of coasting trade between ports of those countries. (Arts. II and III.)

(3) France assents to the Khedivial decree annexed to the declaration containing guaranties for protection of Egyptian bondholders on conditions stated. (Art. I.)

(4) Provisions relating to free passage of the Suez Canal (Art. VI) and of the Straits of Gibraltar. (Arts. VI, VIII.)

No. 163.

Convention between Great Britain and France concerning commercial relations between France and the Barbados.

SIGNED 9 Jan., 1907. Denounced by France on 10 Sept., 1918, and now terminable by three months' notice from either party. (G. B. T. S. 1919, No. 10, Cmd. 302.)

TEXT: English, B. F. S. P. 100: 496-7; Hdb. 1912: 352-3; French, Martens, 86: 631-2.

I. Most-favored-nation treatment is reciprocally pledged respecting customs duties payable on specified French and Barbados products when imported into France, Algeria, French colonies and possessions, and the protectorates of Indo-China and Tunis, or imported into Barbados from France, Algeria, French colonies, etc. (Arts. I, II.)

II. Other provisions.—Certificates of origin which may be required for this preferential treatment shall be visés by consuls free of consular fees. (Art. III.)

Treaty with Germany.

See Treaty of Versailles, No. 314.

Treaty with Greece.

No. 164.

Treaty of commerce and navigation between Great Britain and Greece.

SIGNED 10 Nov., 1886. Ratifications exchanged 21 Apr., 1887. Extended by declaration of 23 Nov., 1904,⁵⁶ until 25 July, 1910, and thereafter terminable on 12 months' notice by either party. Denounced by Greece 3 Mar., 1919, and now terminable on 3 months' notice by either party. (G. B. T. S. 1919, No. 10, Cmd. 302.)

TEXT: English, B. F. S. P. 77:100-107; Hdb. 1912:449-57; English and Greek, Greece Tr. 1912:551-63.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms respecting any privilege, favor, or immunity which either party may grant in matters relating to commerce and navigation. (Art. X.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All duties or prohibitions imposed by either country on importation of products of the other, from whatever place arriving, except sanitary and other prohibitions to protect safety of persons or of cattle, or of plants useful to agriculture. (Art. II.)

(b) Any duties, charges, or prohibitions imposed by either country on exportation of any articles to the other. (Art. III.)

(c) All faculties, privileges, exemptions, and immunities accorded by either country to consular officers. (Art. XI.)

National and most-favored-nation treatment (optional) is reciprocally pledged in all that relates to trade-marks, industrial designs, and patterns. (Decl. of 27 July, 1894.⁵⁷)

II. National treatment is reciprocally pledged with regard to:

(a) All rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce and navigation, and payment of taxes, or imposts relating thereto; with special reference to right of access with ships and cargoes to all places, ports, and rivers in the dominions and possessions of either country to which native subjects may be admitted. (Art. I.)

(b) Exemption from all transit duties in either country, and all that relates to warehousing, bounties, facilities, and drawbacks. (Art. IV.)

(c) All articles which may be legally imported into or exported from either country in its own vessels, may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination; without paying other or higher duties or charges of any kind, and subject to the same bounties and drawbacks, as when carried in national vessels. (Art. V.)

⁵⁶ English, B. F. S. P. 98:53-6.

⁵⁷ English, Hdb. 1912:463-4.

(*d*) All duties of tonnage, harbor, pilotage, lighthouse, quarantine, and any similar or corresponding duties, no matter by whom or how levied in either country on ships of the other, from whatever place arriving and whatever their destination. (Art. VI.)

(*e*) Any privilege regarding the coasting trade or the stationing, loading, or unloading of vessels in ports, docks, waters, or rivers of either country. (Art. VII.)

(*f*) Treatment of each other's warships or merchant vessels seeking refuge from damage or shipwreck, and any dues, duties, and salvage or other expenses incidental thereto. (Art. VIII.)

(*g*) Travel and residence in any part of either country; hiring and possession of houses, factories, shops, and other necessary premises; exercise of commerce in person or otherwise; and all taxes, imposts, or obligations of any kind payable in respect of persons, property, passports, or of commerce and industry. (Art. XII.)

(*h*) Any exactions or military requisitions incumbent on owners or lessees of real property in either country. (Art. XIII.)

(*i*) Exercise of civil rights, with special reference to acquisition, possession, disposal, and transmission of, or succession to, every description of property, movable and immovable, in any manner whatever; including right to export property or proceeds thereof if sold; and all imposts, duties, or charges relating to any of these matters. (Art. XIV.)

(*j*) Exemption of each other's citizens from domiciliary visits or search of their dwellings and other premises, and examination or inspection of their books, papers, or accounts. (Art. XV.)

(*k*) All conditions, restrictions, or taxes regarding free access to courts of justice, and employment of advocates or others therein. (Art. XV.)

III. Other provisions.

(*a*) Exemption of each other's citizens from all judicial and municipal functions (except those imposed by laws relating to juries); from compulsory military service by land or sea; from all contributions imposed as compensation for personal service; and from all exactions, requisitions, forced loans, or other charges imposed for purposes of war, or as a result of other extraordinary circumstances, except duties and charges incumbent on possession of real property in either country. (Art. XIII.)

(*b*) Intestate estates to be administered by the respective consular officers, so far as consistent with the laws of both countries. (Art. XIV.)

(*c*) Assistance to be given by either country to consuls of the other for recovery of seamen deserters. (Art. XVI.)

(*d*) Arbitration of controversies respecting interpretation or execution of this treaty. (Protocol.)

IV. Application to British colonies.—This treaty applies to all colonies and foreign possessions of Great Britain, “as far as the laws permit,” except India, Canada, Australia, and the Cape. (Art. XVII; also Hertslet 26: 681 and 27: 888.) Products of any part of the British Empire are granted complete and unconditional most-favored-nation treatment in Greece so long as the British colony, possession or protectorate in question accords to Greek products treatment as favorable as to products of any other foreign country. (Decl., 23 Nov. 1904.⁵⁶)

Treaty with Honduras.

No. 165.

Treaty of commerce and navigation between Great Britain and Honduras.

SIGNED 5 May, 1910, at Guatemala. Ratifications exchanged there 21 June, 1915. Effective from exchange of ratifications for 10 years, and thereafter until terminated by 12 months' notice from either party. Terminable separately at any time on 12 months' notice by either party in respect of British colonies, possessions, and protectorates which may have adhered thereto. (Art. XXIV.)

TEXT: English, B. F. S. P. 106: 788-98.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms respecting any privilege, favor, or immunity which either country may grant to citizens of any other foreign State in all matters relating to commerce, navigation, and industry (Art. II); except special concessions which Honduras may accord to other Central American Republics (Art. XXIII).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to acquire and possess every description of property in the other which laws of the country permit any foreigners to acquire or possess. (Art. III.)

(b) Any privilege, favor, or immunity which either country may grant to foreigners in matters affecting persons or property. (Art. IV.)

(c) Any duties or charges imposed on products of either country imported into the other. (Art. VI.)

(d) Any prohibition or restriction imposed by either country on importation of products of the other, from whatever place arriving; except:

(1) Sanitary or other prohibitions designed to secure the safety of persons, or of cattle, or of plants useful to agriculture.

(2) Measures applicable in either country to articles enjoying a direct or indirect bounty in the other. (Art. VI.)

⁵⁶ English, B. F. S. P. 98: 53-6.

(e) All charges imposed on products of either country exported to the other. (Art. VII.)

(f) Any prohibition imposed by either country on exportation of any articles to the other. (Art. VII.)

(g) Treatment by either country of commercial travelers and their samples from the other. (Art. IX.)

(h) Any concession which either country may grant in respect of its coasting trade. (Art. XII.)

(i) All faculties, privileges, exemptions, and immunities accorded by either country to consular officers. (Art. XV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) All taxes, imposts, or obligations of any kind imposed in either country on citizens of the other, in respect of their persons, property, commerce, or industry. (Art. I.)

(b) Exemption from domiciliary visits or search in either country of dwellings, warehouses, factories, and shops of citizens of the other, and exemption of their books, papers, and accounts from inspection or examination. (Art. V.)

III. National treatment is reciprocally pledged in regard to:

(a) All rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce and navigation; with special reference to right of citizens of either country to enter with ships and cargoes all places and ports in the other (Art. I); except the coasting trade of both countries. (Art. XII.)

(b) Right of citizens of either country to dispose of all kinds of property in the other, by will or otherwise, in any manner, and all taxes, imposts, charges, or duties relating thereto, including exportation of proceeds of property sold. (Art. III.)

(c) All conditions, restrictions, or taxes regarding access to courts of justice in either country. (Art. V.)

(d) Treatment by either country of citizens of the other in regard to warehousing accommodation, and charges payable on merchandise remaining more than three days in bonded warehouses. (Art. VIII.)

(e) Internal duties affecting production or consumption of any article in either country, whether levied for the State or for local authorities or corporations. Such duties must not bear more heavily on imported products of the other country than on similar articles of native origin. (Art. X.)

(f) Right of vessels of either country to import into or export from the other any merchandise that may be legally imported or exported, and all privileges, duties, or charges relating thereto in respect of vessels or cargoes. (Art. XI.)

(g) Any privileges in whatever concerns stationing, loading, and unloading of vessels in ports, docks, roadsteads, and harbors of either

country, except special privileges which either party may grant to its own vessels engaged in rendering mail or other Government service. (Art. XIII.)

(h) All duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other analogous duties of whatever nature, no matter by whom or how levied in ports of either country on vessels of the other, from whatever place arriving and whatever their destination. (Art. XIV.)

(i) Treatment of vessels of either country seeking refuge in ports of the other from damage or shipwreck, and any dues or charges relating thereto, with special reference to salvage or other expenses in case of stranding or shipwreck. (Art. XV.)

(j) Rights of citizens of either country in regard to patents for inventions, trade-marks, and designs, upon fulfillment of formalities prescribed by law. (Art. XIX.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from all judicial functions (except jury service), and from all extraordinary war contributions, forced loans, and military requisitions or service. (Art. IV.)

(b) Products of either country passing through the other are reciprocally exempt from all transit duties, whether going straight through or loaded, warehoused, and reloaded. (Art. VIII.)

(c) Products of either country imported into the other and intended for warehousing or transit are not subject to any internal duty, but only to warehousing charges, unless placed on the market for consumption. (Art. X.)

(d) Nationality of vessels to be determined by the law of each country. (Art. XVI.)

(e) Provisions concerning seizure of goods bearing false indications of origin. (Art. XX.)

(f) Arbitration of disputes concerning interpretation or execution of this treaty, and statement of procedure relating thereto. (Art. XXI.)

V. Exceptions.

(a) National treatment provisions of this treaty do not apply to coasting trade, but most-favored-nation treatment is reciprocally granted in respect thereto. (Art. XII.)

(b) Most-favored-nation stipulations of this treaty do not apply to special concessions which Honduras may accord to other Central American Republics. (Art. XXIII.)

VI. Application to British colonies.—The stipulations of this treaty do not apply to British colonies, possessions, or protectorates beyond the seas, except those adhering thereto before 21 June, 1916. Nevertheless, products of any British colony, possession, or protec-

torate receive in Honduras complete and unconditional most-favored-nation treatment so long as such colony, etc., accords to Honduran products treatment as favorable as to products of any other foreign country. (Art. XXII.)

For an extensive list of British colonies, possessions, and protectorates which adhered to this treaty (but which does not include Australia, Canada, India, or South Africa), see G. B. T. S. 1916, No. 4.

Treaty with Hungary.

See Treaty of Trianon, No. 355.

Treaty with Italy.

No. 166.

Treaty of commerce and navigation between Great Britain and Italy.

SIGNED 15 June, 1883, at Rome. Effective from 1 July, 1883, until 1 Feb., 1892, and thereafter until terminated by one year's notice from either party. (Art. XX.)

TEXT: English, Hdb. 1912: 484-92; English and Italian, B. F. S. P. 74: 63-76; Italian, Italy Tr. 1911, I: 504-12.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below), respecting any privilege, favor, or immunity which either country may grant in matters relating to commerce and navigation. (Art. XI.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) All duties or prohibitions imposed by either country against importation of products of the other, from whatever place arriving; except sanitary and other prohibitions to protect safety of persons or of cattle, or of plants useful to agriculture. (Art. II.)

(b) Any duties, charges, or prohibitions imposed by either country against exportation of any articles to the other. (Art. III.)

(c) All facilities, privileges, exemptions, and immunities accorded to consular officers by either country. (Art. XII.)

II. National treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting all rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce and navigation; and payment of taxes or imposts relating thereto. (Art. I.)

National treatment is further reciprocally pledged with regard to:

(a) Access with ships and cargoes to all places, ports, and rivers open to native subjects in either country. (Art. I.)

(b) All that relates to warehousing, bounties, facilities, and drawbacks. (Art. IV.)

(c) Importation and exportation in vessels of either country. All articles which may be legally imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination; without paying other or higher duties or charges of any kind, and subject to the same bounties and drawbacks as when carried in national vessels. (Art. V.)

(d) All duties of tonnage, harbor, pilotage, lighthouse, quarantine, and any similar or corresponding duties; no matter by whom or how levied in either country on ships of the other, from whatever place arriving and whatever their destination. (Art. VI.)

(e) Any privilege in matters relating to the stationing, loading, or unloading of vessels in ports, basins, docks, roadsteads, harbors, or rivers of either country (Art. VII); except the coasting trade of both countries (Art. VIII).

(f) Treatment of warships or merchant vessels of either country seeking refuge in ports of the other from damage or shipwreck; and payment of dues, duties, and salvage or other expenses incidental thereto. (Art. IX.)

(g) Any taxes, imposts, or obligations of any kind imposed by either country on subjects of the other in respect of passports, persons, property, commerce, or industry. (Arts. XIII, XIV.)

(h) Exercise of civil rights; with special reference to acquisition, possession, disposal, and transmission of, or succession to, every description of property, movable and immovable, in any manner whatever; including right to export property, or proceeds if sold; and all imposts, duties, or charges relating to any of these matters. (Art. XV.)

(i) Exemption of subjects of either country in the other from domiciliary visits or search of dwellings and other premises and exemption of their books, papers, or accounts from inspection or examination, except under conditions and with forms prescribed by law for native subjects. (Art. XVI.)

(j) All conditions, restrictions, or taxes regarding free access to courts of justice in either country and employment of advocates or other agents therein. (Art. XVI.)

(k) Rights concerning patents for inventions, trade-marks, and designs upon fulfillment of formalities prescribed by law. (Art. XVII.)

III. Other provisions.

(a) Subjects of either country are exempt in the other from all transit duties. (Art. IV.)

(b) Detailed provisions concerning treatment of vessels of either country stranded or wrecked on coasts of the other or seeking refuge

in ports of the other from damage or shipwreck. Salvaged merchandise to be exempt from all customs duties unless cleared for consumption. (Art. IX.)

(c) Right of subjects of either country to travel or reside in any part of the other, to possess houses and other property, and to carry on commerce in person or otherwise. (Art. XIII.)

(d) Citizens of either country are exempt in the other from all judicial and municipal functions (except jury service), from all compulsory military services by land or sea, and from all contributions or requisitions imposed as compensation for personal service, except duties, charges, exactions, or military requisitions connected with ownership or leasing of real property. (Art. XIV.)

(e) Assistance to be given by local authorities of either country to consuls of the other for recovery of seamen deserters. (Art. XVIII.)

(f) Detailed provisions concerning arbitration of controversies respecting interpretation, execution, or violation of this treaty and procedure relating thereto. (Protocol.)

IV. Exceptions.—The provisions of this treaty do not apply to the coasting trade of either country, which remains subject to regulation by their respective laws. (Art. VIII.)

V. Application to colonies.—This treaty was originally made applicable to all British colonies and foreign possessions, except India, Canada, Newfoundland, the Cape, Natal, the Australian States, and New Zealand, with the understanding that any of these might accede thereto before 30 June, 1884. (Art. XIX.) All these acceded except India, Canada, the Cape, and South Australia. (Hertslet 24:683.)

The treaty has been extended to British India (as defined), subject to the following modifications and reservations:

(a) India may prevent undesirable foreigners from residing or traveling in India without its consent. (Conv. of 15 June, 1914,⁵³ Art. 2.)

(b) Rights of Italians in native States of India under Articles I, XIII, XV, and the last paragraph of Article XVI of this treaty (noted above under II and II *g-i*) are subject to the limitations which may be in force as regards European British subjects. (Ibid., Art. 3.)

(c) The provisions of Articles IV and XI of the treaty (noted above under I and II *b*) shall not be held to apply:

(1) To any privilege, favor, or immunity which India may grant in respect of trade to or from countries on the land borders of India. (Ibid., Art. 4, *a*.)

⁵³ English, Hertslet 27:885-6.

(2) To merchandise passing in transit through India to countries on the land borders of India. (Ibid., Art. 4, b.)

(d) The right to appoint consuls under Article XII (noted above under I c) shall in India be restricted to specified seaport towns, and such consuls shall enjoy immunities and exemptions in the matter of customs duties similar to those granted to British consuls in Italy. (Ibid., Art. 5.)

Treaty with Japan.

No. 167.

Treaty of commerce and navigation between Great Britain and Japan.

SIGNED 3 Apr., 1911. Ratifications exchanged 5 May, 1911. Effective until 16 July, 1923, and thereafter until terminated by 12 months' notice from either party. Terminable separately at any time on 12 months' notice from either party as regards British dominions, colonies, possessions, and protectorates. (Art. XXVII.) Article VII and schedules of import duties relating thereto may be modified or abrogated any time after 1913 on 6 months' notice from either party without prejudice to other stipulations of this treaty. (Art. VIII.)

TEXT: English, B. F. S. P. 104: 150-70; Hdb. 1912: 501-15; Japan Tr. 1918: 240-55; Martens 93:413-30.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged (subject to exceptions noted below) respecting any favor, privilege, or immunity which either party may grant in matters concerning commerce, navigation, and industry. (Art. XXIV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Whatever relates to pursuit of industries, callings, professions, and educational studies in either country. (Art. I, 3.)

(b) Liberty to acquire and possess every description of property, movable or immovable, which the laws of the country permit any foreigners to acquire or possess, on condition of reciprocity, and subject always to conditions and limitations prescribed by said laws. (Art. I, 5.)

(c) Exemption of each other's citizens from all compulsory military service by land or sea, and from all contributions in lieu of personal service. (Art. II.)

(d) Appointment of consuls, and all privileges, exemptions, and immunities accorded to consular officers by either country (Art. IV); with special reference to any right, privilege, favor, or immunity concerning administration by consular officers of estates of their deceased nationals. (Art. V.)

(e) Access with ships and cargoes to all places, ports, and rivers open to foreign commerce in either country. (Art. VI.)

(f) All duties, prohibitions, or restrictions imposed or maintained by either country on importation of products of the other, from whatever place arriving; except sanitary or other prohibitions to secure

the safety of persons or of cattle or of plants useful to agriculture. (Art. VII.)

(g) Any charges on exportation of products of either country to the other, and prohibitions or restrictions imposed by either country on exportation of any articles to the other. (Art. IX.)

(h) Facilities granted to merchants, manufacturers, and commercial travelers of either country making purchases or collecting orders in the other, and all taxes relating thereto. (Art. XII.)

(i) Special facilities, privileges, and immunities granted in territorial waters of either country to vessels of the other charged with a regular scheduled postal service. (Art. XX.)

(j) Any concessions or favors accorded by either country in respect of its coasting trade. (Art. XXI.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in respect to:

(a) All taxes, fees, charges, or contributions of any kind levied by either country on subjects of the other. (Art. I, 7.)

(b) Any forced loans and military requisitions or contributions imposed on owners, lessees, or occupiers of immovable property in either country. (Art. II.)

(c) Tonnage, harbor, pilotage, lighthouse, quarantine, or analogous duties of any kind, no matter by whom or how levied in ports of either country on ships of the other, from whatever place arriving and whatever their destination. (Art. XIX.)

III. National treatment is reciprocally pledged with regard to:

(a) All rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce and navigation. (Art. VI.)

(b) All that relates to travel and residence in either country. (Art. I, 1.)

(c) Commerce, manufacture, and trade in all kinds of merchandise of lawful commerce, personally or by agents, singly or as partners with foreigners or native subjects. (Art. I, 2.)

(d) Right to own, hire, and occupy houses, factories, warehouses, shops, and other premises, and to lease land for residential, commercial, industrial, and other lawful purposes. (Art. I, 4.)

(e) Disposal of property which foreigners may lawfully acquire and possess in either country, including exportation of proceeds if sold and of goods in general, and payment of duties incidental thereto. (Art. I, 5.)

(f) All rights and privileges concerning administration of justice, including access to courts and employment of advocates or others therein. (Art. I, 6.)

(g) All that relates to bounties, drawbacks, and facilities for warehousing under bond. (Art. I, 8.)

(h) Exemption of each other's citizens from domiciliary visits or search of their dwellings, warehouses, factories, shops, and other premises, and examination or inspection of their books, papers, or accounts. (Art. III.)

(i) Internal duties affecting production, manufacture, or consumption of any article, whether levied in either country for the State, local authorities, or corporations. These must not bear more heavily on imported products of the other country than on similar articles of native origin. (Art. XI.)

(j) Importation and exportation. Any merchandise legally importable into or exportable from either country in its own vessels may likewise be carried in ships of the other, also passengers to or from either country, such vessels and their cargoes and passengers to enjoy the same privileges and pay the same duties or charges as national ships and their cargoes or passengers. (Art. XVI.)

(k) All privileges and facilities in regard to the stationing, loading, and unloading of vessels in ports, docks, roadsteads, and harbors of either country. (Art. XVII.)

(l) Dues payable in either country by vessels of the other seeking refuge from damage or shipwreck, also salvage or other expenses in case of stranding or shipwreck. (Art. XXIII.)

IV. Other provisions.

(a) Specified customs duties to be levied in Japan on importation of products of the United Kingdom listed in the schedule annexed to the treaty. (Art. VIII.)

(b) Specified products of Japan listed in the schedule to be free of duty on importation into the United Kingdom. (Art. VIII.)

(c) Products of either country passing through the other are exempt from all transit duties, whether going straight through or unloaded, warehoused, and reloaded. (Art. X.)

(d) Exemption of products of either country from all internal duties in the other when imported for warehousing or transit. (Art. XI.)

(e) Reciprocal duty-free admission of travelers' samples subject to customs regulations and formalities relating thereto (Arts. XII, XIII), and reciprocal recognition in either country of commercial travelers' certificates issued by chambers of commerce, etc. (Art. XIV.)

(f) Recognition by either country of commercial, industrial, and financial companies or associations duly organized and registered in the other with special reference to actions in courts of justice. (Art. XV.)

(g) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage. (Art. XXI.)

(h) Mutual assistance for recovery of seamen deserters in either country on application by the competent consular officer. (Art. XXII.)

(i) In case of stranded or shipwrecked vessels salvaged merchandise is exempt from customs duties in either country unless cleared for internal consumption. (Art. XXIII.)

V. Exceptions.—Stipulations of this treaty do not apply to:

(a) The coasting trade of both countries, though most-favored-nation treatment is reciprocally pledged in respect thereto. (Art. XXI.)

(b) Tariff concessions accorded by either party to contiguous States solely to facilitate frontier traffic within a limited zone. (Art. XXV.)

(c) Treatment accorded by either country to the produce of its national fisheries. (Art. XXV.)

(d) Special tariff favors granted by Japan in regard to fish and other aquatic products taken in foreign waters in the vicinity of Japan. (Art. XXV.)

(e) British dominions, colonies, possessions, or protectorates beyond the seas, except those which adhered to this treaty, as noted below. (Art. XXVI.)

(f) Provisions of Article VIII (relating to import duties) do not apply to any British dominions, colonies, etc., beyond the seas. (Hertslet 27:908-9.)

VI. Application to colonies.—Accessions of British colonies, etc., to this treaty are subject generally to the following interpretation being placed on Articles I and VIII:

(a) Article I does not interfere with any immigration legislation of either country that does not differentiate against subjects of the other as compared with subjects or citizens of the most-favored nation.

(b) Provisions of Article VIII do not apply to British dominions, colonies, etc., beyond the seas.

(c) Canada's accession is subject to the following conditions:

(1) Nothing in this treaty shall be deemed to affect any of the provisions of the immigration act of Canada.

(2) Article VIII shall not be deemed to apply to Canada.

(3) It is understood that Japan intends to maintain with equal effectiveness the limitation and control exercised since 1908 in the regulation of emigration from Japan to Canada. (Exchange of Notes, 17 July/10 Sept., 1912.⁵⁹)

For a long list of accessions of British colonies, etc. (which does not include Australia, New Zealand, or South Africa), see Hertslet 27:908-9.

⁵⁹ English, Hertslet 27:909.

Treaty with Liberia.**No. 168.***Treaty of friendship and commerce between Great Britain and Liberia.*

SIGNED 21 Nov., 1848. Ratifications exchanged 1 Aug., 1849. Duration indefinite.

TEXT: English, B. F. S. P. 36: 394-7; Hdb. 1912, 517-20.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting all rights or privileges which either party may grant to subjects of any other State, with special reference to all favors or immunities in matters of commerce and navigation. (Arts. II and VII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of subjects of either country to reside and trade in any part of the territory or dominions of the other. (Art. II.)

(b) Full protection for persons and property in either country, and right to buy or sell without restraint or prejudice from any monopoly, contract, or exclusive privilege of sale or purchase. (Art. II.)

(c) Any duties imposed by Liberia on merchandise coming from British dominions in any vessel, or imported in British vessels from any country, and exportation of any Liberian products by British subjects or in British vessels. (Art. IV.)

II. National treatment is reciprocally pledged respecting tonnage, import, and other duties or charges levied by either country on vessels of the other or on goods imported or exported therein. (Art. III.)

III. Other provisions.

(a) Liberia agrees not to prohibit importation of goods coming from British dominions in any vessel, or of goods coming in British vessels from any country. (Art. IV.)

(b) No prohibitions or excessive duties to be imposed by Liberia against importation by private merchants of articles in which the Liberian Government may see fit to trade for revenue purposes. (Art. V.)

(c) Assistance and protection to be accorded to British vessels and their officers and crews in case of shipwreck on the coast of Liberia. (Art. VI.)

(d) Provisions relating to appointment of consular officers (Art. VIII), and suppression of the slave trade (Arts. IX, X).

IV. Application to British colonies.—Canada, Newfoundland, Australia,⁶⁰ New Zealand, Natal, Orange River Colony, Transvaal, and the Indian Empire may withdraw from the treaty separately at any time on 12 months' notice. But products of any of these

⁶⁰ Australia (with Papua and Norfolk Island) has withdrawn from the treaty. (Hertslet 25: 918; 27: 913.)

colonies, etc., receive in Liberia unconditional most-favored-nation treatment so long as they accord to Liberian products treatment as favorable as to those of any other foreign country. (Agrt. 23 July, 1908.⁶¹)

Treaty with Mexico.

No. 169.

Treaty of friendship, commerce, and navigation between Great Britain and Mexico.

SIGNED 27 Nov., 1888. Ratifications exchanged 11 Feb., 1889. Effective for 10 years, and thereafter indefinitely, subject to termination by 12 months' notice from either party. (Art. XVI.)

TEXT: English and Spanish, B. F. S. P. 79:25-39; Spanish, Mexico Tr. Vig. I: 405-16; English, Hdb. 1912: 525-33.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms respecting any privilege, favor, or immunity which either party may grant in matters relating to commerce and navigation. (Arts. II and IV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Customs treatment in either country of imported products of the other, whether intended for consumption, warehousing, re-exportation, or transit; particularly as regards payment of duties, whether general, municipal, or local. (Art. III.)

(b) Duties levied by either country on exportation of any goods to the other. (Art. III.)

(c) Any prohibitions of importation, exportation, reexportation, or transit established by either country against the other. (Art. III.)

(d) All that relates to local dues, customs, formalities, brokerage, patterns, or samples introduced by commercial travelers, and all other matters connected with trade. (Art. III.)

(e) All dues or charges in ports, docks, rivers, and other waters of either country; also pilotage and all other matters connected with navigation, including local treatment of each others' vessels and their cargoes, from whatever place arriving, and whatever the place of origin or destination of the cargoes. (Art. IV.)

(f) Application of laws of either country to resident citizens of the other with special reference to laws which determine the rights and obligations of foreigners. (Art. V.)

(g) Protection of each other's citizens in regard to their persons, houses, and property; also freedom of conscience and religious belief in either country. (Art. VIII.)

(h) Appointment and functions of consular officers in either country, and all privileges, exemptions, and immunities relating thereto. (Art. X.)

⁶¹ English, Hertslet 25: 918.

II. National or most-favored-nation treatment (optional) is reciprocally pledged with reference to rights concerning patents for inventions, trade-marks, and designs, upon fulfillment of formalities prescribed by law. (Art. IX.)

III. National treatment is reciprocally pledged in regard to:

(a) Right of citizens of either country to reside in the other, and to hire and occupy houses and warehouses for wholesale or retail commerce; also full liberty to exercise civil rights, with special reference to acquisition, possession, and disposal of, or succession to, property of every description in any manner whatever (so far as permitted by the laws of each country), under the same conditions as natives of the country; including right to export property or proceeds thereof if sold; without paying any other or higher impost, duty, or charge in any of these respects than is payable by natives of the country. (Art. V.)

(b) Exemption of dwellings, warehouses, factories, and shops of citizens of either country in the other from domiciliary visits or search, and exemption of their books, papers, and accounts from inspection or examination. (Art. VI.)

(c) All conditions, restrictions, or taxes concerning free access to courts of justice, and employment of advocates or others therein. (Art. VI.)

(d) Any military requisitions, charges, or contributions imposed on real property by either country. (Art. VII.)

(e) Treatment of each other's vessels seeking refuge from damage or shipwreck, and all dues, duties, and salvage or other charges incidental thereto. (Art. XII.)

(f) Any charges or demands made by either country upon property of citizens of the other in case of rupture or war between the two countries. (Art. XIII.)

IV. Other provisions.

(a) Limit of territorial waters on coasts of either country, for enforcement of customs regulations and prevention of smuggling, to be 3 sea leagues from low-water mark. (Art. IV.)

(b) Exemption of each other's citizens from all compulsory military service whatever, by land or sea, and from all contributions, forced loans, and other charges or requisitions imposed as compensation therefor. (Art. VII.)

(c) In case of rupture or war, citizens of either country residing in the other may continue their trade or employment so long as they behave peaceably and commit no offense against the laws. In case they prefer to leave the country they shall be allowed to liquidate their accounts and arrange for disposal or safe-keeping of their property, which shall not be liable to seizure or sequestration; and they shall have safe conduct to ports of their own selection. (Art. XIII.)

(d) Arbitration of disputes concerning interpretation or execution of this treaty. (Art. XV.)

V. Application to British colonies.—This treaty applies to all British colonies and possessions, “so far as the laws permit,” except India, Canada, Australia (with Papua and Norfolk Island), New Zealand, and British South Africa. (Art. XIV.)

For accessions and withdrawals of colonies, etc., see Hertslet 26: 759 and 27: 916.

Treaty with Montenegro.

No. 170.

Convention of commerce and navigation between Great Britain and Montenegro.

SIGNED 11 Jan., 1910. Ratifications exchanged 21 June, 1910. Effective until 21 June, 1920, and thereafter until terminated by one year's notice from either party; but terminable at any time by 12 months' notice from either party as regards British colonies, possessions, or protectorates adhering thereto. (Art. III.)

TEXT: English and French, B. F. S. P. 101: 311–14; English, Hdb. 1912: 535–7.

I. Most-favored-nation treatment is reciprocally pledged in regard to treatment of each other's subjects and products, with special reference to:

(a) All that concerns customs duties and commercial operations. (Art. I.)

(b) Establishment of nationals of either country in territories of the other. (Art. I.)

(c) Exercise of commerce and industries, and taxes connected therewith. (Art. I.)

(d) All matters of commerce and navigation, both as regards importation, exportation, and transit. (Art. I.)

II. Application to British colonies.—This convention applies only to those British colonies, possessions, or protectorates beyond the seas which acceded thereto before 21 June, 1911. But products of any British colony, possession, etc., receive unconditional most-favored-nation treatment in Montenegro so long as it gives to Montenegrin products treatment as favorable as to products of any other foreign country. (Art. II.)

For long list of accessions (which does not include Canada, Australia, New Zealand, South Africa, or India), see Hdb. 1912: 537, or Hertslet, 26: 771–2.

Treaties with Morocco.

No. 171.

General treaty between Great Britain and Morocco.

SIGNED 9 Dec., 1856. Duration indefinite.

TEXT: English, B. F. S. P. 46: 176–87; Hdb. 1912: 539–53; French, Card: 17–31.

I. Most-favored-nation treatment is reciprocally pledged in regard to protection and privileges to be accorded by either country

to subjects of the other, with special reference to right of travel, residence, and police precautions relating thereto. (Art. IV.)

Most-favored-nation treatment is further pledged by Morocco in regard to:

(a) Rights and privileges of British diplomatic and consular officers in Morocco. (Art. III.)

(b) All rights, privileges, and favors which Morocco may grant to subjects of any other power, which shall likewise apply in favor of all British subjects, whether Mohammedans, Jews, or Christians. (Arts. XIII and XVI.)

II. Other provisions.

(a) Right of British subjects to hire dwellings and warehouses in Morocco. (Art. IV.)

(b) Exemption of British subjects from all taxes or imposts, and from military service, forced loans, and all extraordinary contributions. (Art. IV.)

(c) Inviolability of dwellings, warehouses, and other premises of British subjects, and exemption of their houses, books, papers, or accounts from search, examination, or inspection, except by order and consent of a British consul. (Art. IV.)

(d) Protection of persons and property of British subjects, freedom of religious worship and burial, and free appointment of agents for transaction of business by land or sea. (Art. V.)

(e) Freedom in selling or buying of goods in either country. (Art. VI.)

(f) Guarantee of debts in either country by subjects of the other to be valid only if in writing. (Art. VI.)

(g) British consular jurisdiction in all criminal and civil cases between British subjects. (Arts. VIII and XIV.)

(h) Consular intervention in civil or criminal cases between British subjects and Moors. (Art. IX.)

(i) Actions for debt between British subjects and Moors. (Art. X.)

(j) Exclusive consular jurisdiction in criminal cases between British subjects and other foreigners in Morocco. (Art. XIV.)

(k) Consular administration of estates and debts of deceased British subjects. (Art. XVIII.)

(l) Freedom of subjects of either country to leave the dominions of the other in peace or war and dispose of their goods and property. (Art. XVII.)

(m) Release of subjects of either country and their goods captured on vessels belonging to enemies of the other, unless contraband of war. (Art. XXI.)

(n) Treatment of British prizes in ports of Morocco. (Art. XXII.)

(o) Protection of vessels of either country chased by enemy into waters of the other. (Art. XXIII.)

(p) Right of British warships or merchant vessels to buy provisions free from duty in ports of Morocco. (Art. XXVI.)

(q) Privileges of British mail packets in Morocco. (Art. XXVII.)

(r) Vessels of either country entering ports of the other are not bound to go into harbor nor to sell their cargoes. (Art. XXVIII.)

(s) Duties payable by vessels of either country in ports of the other only on portion of cargo landed. (Art. XXIX.)

(t) Vessels of either country in ports of the other are not bound to carry passengers or goods, and can not be forced to sail to any particular place. (Art. XXX.)

(u) British vessels hired by Moorish subjects are exempt from anchorage and other duties when seeking refuge in Moorish ports. (Art. XXXI.)

(v) Assistance to British vessels entering Moorish ports for repairs. (Art. XXXII.)

(w) Mutual assistance to each other's vessels in case of shipwreck and salvage operations. (Art. XXXIII.)

(x) Subjects of either country violating any condition of this treaty to be severely punished by their respective sovereigns. (Art. XXXV.)

(y) In case of war, subjects of either country residing in the other are allowed six months to settle their affairs, with perfect security for their persons and property; and must be permitted to depart with their families, goods, and property to wherever they please. (Art. XXXVI.)

(z) Abrogation of all previous treaties between the two countries. (Art. XXXVIII.)

III. Application to British colonies.—This treaty applies generally to all dominions and subjects of Great Britain, present and future. (Art. XIX.)

No. 172.

Convention of commerce and navigation between Great Britain and Morocco.

SIGNED 9 Dec., 1856. Duration indefinite. Subject to revision by common consent. (Art. XIV.)

TEXT: English, B. F. S. P. 46: 188-95; Hdb. 1912: 553-62.

I. Most-favored-nation treatment is reciprocally pledged in regard to all rights, privileges, and protection accorded to foreigners in either country, with special reference to residence and trade in ports of Morocco (Art. I); and to prohibitions of importation or ex-

portation applicable in Morocco against British subjects (Arts. V and VII).

II. National and most-favored-nation treatment (optional) is pledged to British subjects in Morocco in regard to duties payable on goods permitted to be imported, and exportation of Moroccan produce in any vessel. (Arts. VI, VII.)

III. National treatment is reciprocally pledged regarding anchorage, tonnage, import, and other duties or charges levied by either country on ships of the other, or levied on goods imported or exported in vessels of either country. (Art. X.)

IV. Other provisions.

(a) Reciprocal freedom of commerce between the two countries. (Art. I.)

(b) Morocco engages to abolish all monopolies or prohibitions on imported goods and all monopolies of Moorish products; except tobacco and other articles named. (Art. II.)

(c) No taxes, duties, or other charges to be imposed in Morocco on goods purchased for exportation by British subjects, except the export duty on articles specified by the tariff in Article VII of the treaty. (Art. IX.)

(d) Right of British subjects to manage their affairs in Morocco personally or by agents of their own free choice, and to bargain freely for prices in the lawful purchase or sale of any merchandise imported into Morocco or to be exported therefrom. (Art. IV.)

(e) Prohibitions against exportation of grain or any article from Morocco shall not prevent exportation thereof by British subjects for six months following publication of such prohibition, as regards quantities of such articles already in their possession or previously purchased by them. (Art. V.)

(f) Duties payable on imports into Morocco by British subjects shall not exceed 10 per cent on their value at port of landing (Art. VIII), and Moroccan products exported by British subjects shall pay only the duties required by the tariff detailed in Article VII. (Art. IX.)

(g) Goods conveyed by sea from one Moorish port to another by British subjects to pay no further duty when accompanied by certificate showing that the 10 per cent import duty has been paid. (Art. VIII.)

(h) Detailed provisions regarding tonnage, pilotage, anchorage, and other dues in Morocco (Arts. X and XII), loading and unloading of vessels in Moorish ports, and lighthouse charges. (Art. XI.)

(i) Consular jurisdiction over British subjects smuggling goods into Morocco and penalties therefor. (Art. XIII.)

(j) Abrogation of all previous treaties between the two countries. (Art. XV.)

Treaty with Muscat.

No. 173.

Treaty of friendship, commerce, and navigation between Great Britain and Muscat.

SIGNED 19 Mar., 1891. Ratifications exchanged 20 Feb., 1892. Effective until 20 Mar., 1904 (Art. XXIII), and thereafter until terminated by 12 months' notice from either party. (Protocol, 20 Feb., 1892; English, Hdb. 1912: 605-6.)

TEXT: English (authentic), B. F. S. P. 83: 11-18; Hdb. 1912: 597-605.

I. Most-favored-nation treatment is reciprocally pledged regarding all privileges, immunities, and exemptions accorded to consular officers and other public functionaries in either country. (Art. III.)

II. Most-favored-nation treatment is pledged unconditionally by Muscat to British subjects (including subjects of native States in India in alliance with Great Britain) in matters of commerce, shipping, and trade, and in every other respect, with special reference to all rights, privileges, immunities, advantages, and protection concerning duties, imposts, restrictions, and obligations of every kind. (Art. II.)

III. Other provisions.

(a) Freedom of commerce and navigation between the two countries, with special reference to right of subjects of either country to enter with ships and cargoes all ports, rivers, and waters of the other, and to travel, reside, and trade in each other's dominions; also right to hire, purchase, and possess houses, warehouses, shops, stores, and lands, and to bargain freely for prices in buying, bartering, or selling any articles whatever. (Art. IV.)

(b) Right of British subjects in Muscat to acquire in any legal way, and freely to dispose of, property of every description, movable or immovable. (Art. V.)

(c) Right of Muscat to levy an ad valorem duty of 5 per cent on merchandise of all kinds imported by sea, but no duties to be levied on goods transshipped in a Muscat port under conditions stated, nor on coal, naval provisions, etc., for the British Navy. (Art. VI.)

(d) No prohibitions to be imposed against imports into or exports from Muscat, nor any export duties to be levied without consent of the British Government. (Art. VII.)

(e) British ships not to be exempt from shipping, tonnage, or harbor dues in Muscat in the event of such dues being imposed by inter-

national agreement to which Great Britain is a consenting party. (Art. VIII.)

(f) Goods in transit through Muscat not to be subject to vexatious delays. (Art. X.)

(g) Provisions relating to vessels in distress, wrecks, and salvage (Art. XI), and to seamen deserters. (Art. XII.)

(h) Rights of extritoriality for British subjects in Muscat as regards their persons and property. (Art. XIII.)

(i) British consular jurisdiction of British subjects in Muscat (Art. XIV), with special reference to bankruptcy and recovery of debts (Art. XV–XVI); administration of estates (Art. XVII), and exemption of dwellings and other premises of British subjects from entry or search by officials of Muscat. (Art. XVIII.)

(j) Protection of subjects of Muscat in the service of British subjects. (Art. XIV.)

(k) British subjects not to be exempt from local taxes for municipal or sanitary purposes in the event of such taxes being imposed by international agreement to which Great Britain is a party. (Art. XIX.)

(l) Liberty of conscience and freedom of religious worship in either country, including right to build churches. (Art. XX.)

IV. Application to British colonies.—This treaty applies to all colonies and foreign possessions of Great Britain, “so far as the laws permit,” except the Cape, New Zealand, and all the Australian States save Queensland. (Art. XXI and Hdb. 1912:605.)

Treaties with the Netherlands.

No. 174.

Treaty between Great Britain and the Netherlands concerning territory and commerce in the East Indies.

SIGNED 17 Mar., 1824. Duration not stated.

TEXT: English and Dutch, B. F. S. P. 11:194–213; Lagemans 2:120–31; English. Hdb. 1912:607–16.

I. Most-favored-nation treatment is reciprocally pledged respecting admission of citizens of either country to trade with possessions of the other in the Eastern Archipelago, the continent of India, and Ceylon, in conformity with the local regulations of each settlement. (Art. I.)

II. Other provisions.

(a) Duties payable on imports or exports by subjects or vessels of either nation at ports of the other in the eastern seas shall not exceed double the rate payable by subjects or vessels of the nation to which the port belongs, and in case of articles not dutiable when imported or exported by nationals or in national vessels the rate payable by

subjects or vessels of the other country shall not exceed 6 per cent. (Art. II.)

(b) Neither party to make any treaty with a native power in the eastern seas tending to exclude the trade of the other from the profits of such native power; any contrary provisions in existing treaties to be abrogated on conclusion of this treaty. (Art. III.)

(c) The Molucca Islands are excepted from Articles I to IV (respecting freedom of trade) until the Netherlands abandons the monopoly of spices, but until such abandonment British subjects shall be allowed commercial intercourse with said islands on the same footing as subjects of the most-favored nation other than a native Asiatic power. (Art. VII.)

(d) Cession of all Dutch establishments in India, and of Molucca, to Great Britain (Arts. VIII and X) and cession of British possessions in Sumatra to the Netherlands (Art. IX).

(e) Neither power to object to occupation of specified islands by the other. (Arts. XI, XII.)

(f) None of the above-mentioned territories to be ceded to any third power. In case of abandonment by either nation, the right of occupation thereof is immediately to pass to the other. (Art. XV.)

No. 175.

Treaty of commerce and navigation between Great Britain and the Netherlands.

SIGNED 27 Oct., 1837. Ratifications exchanged 22 Nov., 1837. Additional conventions signed 27 Mar., 1851,⁶² and 15 Aug., 1889;⁶³ ratifications exchanged 16 Apr., 1851, and 23 May, 1891. Terminable on 12 months' notice by either party. (Art. VII.)

TEXT: English and Dutch. B. F. S. P. 26:273-81; English, Hdb. 1912: 617-22.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting all rights, privileges, liberties, favors, immunities, and exemptions which either country may grant in matters of commerce and navigation. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All duties, taxes, or imposts, under whatever name, payable in either country by subjects of the other. (Art. I.)

(b) Customs duties or other imposts levied by either country on products of the other, imported by land or sea. (Art. I.)

(c) All questions of customs regulations, with special reference to ad valorem duties applied by either country to imported goods of the other. (Convention of 1889,⁶³ Art. I.)

II. National treatment is reciprocally pledged in regard to:

⁶² English, Hdb. 1912: 622-4; English and Dutch, B. F. S. P. 40: 41-5.

⁶³ English, Hdb. 1912: 632-3; English and Dutch, B. F. S. P. 81: 13-14.

(a) Duties of tonnage, harbor, lighthouse, quarantine, and all similar or corresponding duties, under whatever name, levied in ports of either country on ships of the other, from whatever place arriving. (Addl. conv. 1851,⁶² Art. I.)

(b) Any duty, charge, restriction, or prohibition imposed, and any drawback, bounty, or allowance granted, on goods imported into or exported from either country in vessels of the other. (Addl. conv. 1851,⁶² Art. I.)

(c) Rate of salvage payable by vessels of either country wrecked on coasts of the other. (Art. VI.)

III. Other provisions.—Products of either country imported into the other, and any merchandise imported in ships of the other, to be received in either country for warehousing pending entry for consumption or reexportation, without being liable to any of the duties imposed on imports for consumption. (Art. V.)

IV. Application to colonies.—Possessions “beyond the sea” are expressly excluded from the terms of this treaty, which is limited to the European territories of both countries. (Decl. 22 Nov., 1837.⁶⁴)

Treaty with Nicaragua.

No. 176.

Treaty of friendship, commerce, and navigation between Great Britain and Nicaragua.

SIGNED 28 July, 1905. Ratifications exchanged 24 Aug., 1906. Effective for 10 years, and thereafter indefinitely, subject to termination by 12 months' notice from either party (Art. XXI), except Article II (relating to the port of San Juan del Norte), which is declared perpetual (Protocol. Art. II).

TEXT: English, B. F. S. P. 98: 72–80; Spanish, Hdb. 1912: 637–46; Nicaragua Conv. Int. 1913: 77–90.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting any privilege, favor, or immunity which either country may grant in matters relating to commerce, navigation, and industry. (Art. XI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) The coasting trade of both countries. (Art. I.)

(b) All duties, charges, prohibitions, or restrictions imposed by either country on importation of products of the other, except sanitary and other prohibitions to secure the safety of persons, cattle, or of plants useful to agriculture. (Art. III.)

(c) All duties, charges, or prohibitions imposed by either country on exportation of any articles to the other. (Art. IV.)

(d) All faculties, privileges, exemptions, and immunities accorded to consuls in either country. (Art. XII.)

⁶² English, Hdb. 1912: 622–4; English and Dutch, B. F. S. P. 40: 41–5.

⁶⁴ English, Hdb. 1912: 621–2; English and Dutch, B. F. S. P. 26: 281–2.

II. National or most-favored-nation treatment (optional) is reciprocally pledged in respect to:

(a) All that relates to exemption from transit duties, warehousing, bounties, facilities, and drawbacks in either country. (Art. V.)

(b) All taxes, charges, imposts, or obligations of whatever kind in either country payable in respect of persons, passports, commerce, industry, and real or personal property. (Arts. XIII, XIV.)

(c) Treatment of each other's citizens with regard to exemption of their dwellings and other premises from domiciliary visits or search, and exemption of their books, papers, or accounts from inspection or examination. (Art. XVI.)

III. National treatment is reciprocally pledged in general terms respecting all rights, privileges, liberties, favors, immunities, and exemptions concerning matters of commerce and navigation, and all taxes or imports relating thereto. (Art. I.)

National treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to come with their ships and cargoes to all places, ports, and rivers in the other to which its own citizens may come. (Art. I.)

(b) Importation and exportation. All articles which may be legally imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination, without paying other or higher duties or charges of any kind, and subject to the same bounties or drawbacks as when carried in national vessels. (Art. VI.)

(c) All duties of tonnage, harbor, pilotage, lighthouse, quarantine, and other similar or corresponding duties of whatever nature, no matter by whom or how levied in either country on vessels of the other, from whatever place arriving and whatever their destination. (Art. VII.)

(d) Any privilege in regard to the stationing, loading, or unloading of vessels in ports, docks, rivers, or other waters of either country. (Art. VIII.)

(e) Treatment of warships or merchant vessels of either nation seeking refuge from damage or shipwreck, including salvage or other expenses incurred, and duties on salvaged merchandise cleared for consumption. (Art. IX.)

(f) Full liberty for citizens of either country to exercise civil rights in the other, with special reference to rights or conditions regarding acquisition, possession, and disposal of, or succession to, property of every description, in any manner whatever; including right to export property or proceeds thereof if sold; without paying any other or higher impost, duty, or charge in any of these respects than native citizens pay. (Art. XV.)

(g) All rights, conditions, restrictions, or taxes concerning access to courts of justice; including deposits, sureties, and fees in legal cases, and employment of advocates or other agents in any cause. (Art. XVI.)

(h) All rights regarding patents for inventions, trade-marks, and designs, upon fulfillment of formalities prescribed by law. (Art. XVII.)

IV. Other provisions.

(a) Abolition of free port privileges at Port San Juan del Norte, which is placed on the same footing as other Nicaraguan ports with regard to municipal taxation, and all dues, taxes, and regulations affecting foreign trade and shipping. (Art. II.)

(b) Seizure of goods bearing false indications of origin. (Art. XVIII.)

V. Exceptions.

(a) Most-favored-nation provisions granted by this treaty to Great Britain do not include special favors which Nicaragua may grant to other Central American Republics. (Protocol, Art. I.)

(b) National treatment provisions do not apply to the coasting trade. (Art. I.)

(c) Both countries reserve the right to take such steps as they may deem expedient, either by countervailing duties or otherwise, to neutralize the effect of bounties granted, directly or indirectly, on production or exportation of goods. (Protocol, Art. IV.)

VI. Application to British colonies.—This treaty applies to the following colonies, possessions, and protectorates, which adhered thereto in accordance with Article XX: British Honduras, Gambia, Hong Kong, Jamaica (also Turks, Caicos, and Cayman Islands), Leeward Islands, New Zealand, Northern Nigeria, Seychelles, Sierra Leone, Southern Nigeria, Straits Settlements, Windward Islands. (B. F. S. P. 98:79–80; also Hertslet 25:964.)

Treaty with Norway.

See Sweden and Norway, No. 196.

Treaty with Paraguay.

No. 177.

Treaty of friendship, commerce, and navigation between Great Britain and Paraguay.

SIGNED 16 Oct., 1884. Ratifications exchanged 10 May, 1886. Effective for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XVI.)

TEXT: English and Spanish. B. F. S. P. 75: 929–42; English, Hdb. 1912: 651–9; Spanish, Paraguay Tr. 1890: 83–8.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below

respecting any privilege, favor, or immunity which either party may grant in matters relating to commerce and navigation. (Art. II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Customs treatment in either country of goods imported from the other, whether intended for consumption, warehousing, reexportation, or transit; particularly as regards payment of duties, whether general, municipal, or local. (Art. III.)

(b) All duties levied by either country on exportation of any goods to the other. (Art. III.)

(c) Any prohibitions of importation, exportation, or transit established by either country against the other. (Art. III.)

(d) All that relates to local dues, customs formalities, brokerage, patterns, or samples introduced by commercial travelers, and all other matters connected with trade. (Art. III.)

(e) Functions to be exercised in either country by consular officers of the other, and all privileges, exemptions, and immunities relating thereto. (Art. X.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) All favors, exemptions, or privileges in matters of navigation, including dues or charges in ports, docks, rivers, and other waters of either country; also pilotage, and all matters connected with navigation and local treatment of ships and their cargoes, in every respect, from whatever place arriving and whatever the place of origin or destination of the cargoes; except as noted below under V(b). (Art. IV.)

(b) All rights in regard to patents or inventions, trade-marks, and designs. (Art. V.)

III. National treatment is reciprocally pledged in regard to:

(a) Exercise of civil rights, with special reference to acquisition, possession, transmission, and disposal of, or succession to, property of every description in any manner whatever, under the same conditions as natives of the country; including right to export property or proceeds thereof if sold, without paying any other or higher impost, duty, or charge in any of these respects than is payable by natives of the country. (Art. VI.)

(b) Treatment of each other's citizens with regard to exemption of their dwellings, factories, shops, and other premises from domiciliary visits or search, and exemption of their books, papers, or accounts from inspection or examination. (Art. VII.)

(c) All conditions, restrictions, or taxes concerning free access to courts of justice, and employment of advocates or others in any cause. (Art. VII.)

(*d*) Protection of each other's citizens in regard to their persons, houses, and properties; also freedom of conscience and religious belief. (Art. IX.)

(*e*) Treatment of each other's warships or merchant vessels and their cargoes seeking refuge from damage or shipwreck, including salvage and other expenses incurred and customs duties on salvaged merchandise cleared for consumption. (Art. XIII.)

(*f*) Any charges or demands made by either country upon property of citizens of the other in case of rupture or war between the two countries. (Art. XIV.)

IV. Other provisions.

(*a*) Exemption of each other's citizens from billeting and from all compulsory military service whatever by land or sea, likewise from all contributions imposed as compensation for billeting or for personal service, and from forced loans and military exactions or requisitions of any kind. (Art. VIII.)

(*b*) Reciprocal pledges concerning right of religious worship in private or public buildings, and right of burial in public cemeteries with suitable decorum and respect. (Art. IX.)

(*c*) Consular jurisdiction of property left intestate in either country by deceased subjects of the other. (Art. XI.)

(*d*) In case of rupture or war subjects of either country residing in the other may continue their trade or employment without interruption so long as they behave peaceably and observe the laws; their property to be exempt from seizure or sequestration. In case they prefer to leave the country they shall be allowed to liquidate their accounts and arrange for disposal or safekeeping of their property, and shall have safe conduct to ports of their own selection. (Art. XIV.)

(*e*) Free navigation of the Rivers Paraguay and Parana opened to British vessels, including the coasting trade. (Protocol.)

V. Exceptions.

(*a*) Most-favored-nation stipulations of Article III of this treaty, noted above under I *a-d*, do not confer upon British subjects the exceptional privileges of free trade reserved by Article XIII of the treaty of 7 June, 1883, between Paraguay and Brazil in favor of the Province Matto-Grosso. (Protocol.)

(*b*) Most-favored-nation and national treatment stipulations of Articles II and IV of this treaty, noted above under I and II (*a*), do not confer upon owners of steamships plying between British and Paraguayan ports the right to claim any such special privileges or subventions as either country may consider expedient to grant to other lines for specified ends and purposes. (Protocol.)

VI. Application to British colonies.—This treaty applies to all British colonies and foreign possessions, "so far as the laws permit,"

except Australia, Canada, India, New Zealand, and South Africa. Any British colony or possession may withdraw from this treaty separately on 12 months' notice at any time. Nevertheless the products of any colony or possession enjoy in Paraguay complete and unconditional most-favored-nation treatment so long as products of Paraguay receive in such colony or possession treatment as favorable as products of any other country. (Decl. 14 Mar., 1908.⁶⁵)

Treaties with Persia.

No. 178.

Treaty of peace between Great Britain and Persia.

SIGNED 4 Mar., 1857. Ratifications exchanged 2 May, 1857. Duration indefinite.

TEXT: English. B. F. S. P. 47: 42-8; Hdb. 1912: 663-70.

I. Most-favored-nation treatment is reciprocally pledged to subjects of either country in the other as regards their trade in every respect, and likewise with regard to establishment and recognition of consular officers in either country. (Art. IX.)

Most-favored-nation treatment is further pledged by Persia to the British Government and to its servants and subjects with regard to all privileges, immunities, rights, and considerations which Persia may accord to any other Government or its servants and subjects. (Art. XII.)

II. Other provisions of this treaty are superseded by the agreement of 21 Mar., 1920, or relate to matters of no immediate commercial interest.

No. 179.

Commercial convention between Great Britain and Persia, as amended by agreement of 21 Mar., 1920.

SIGNED 9 Feb., 1903. Ratifications exchanged 27 May, 1903. Duration indefinite, subject to termination by 12 months' notice from either party. (Agmt., 21 Mar., 1920,⁶⁶ Art. 13.) The tariffs and the customs regulations annexed to the convention are subject to revision on 21 Mar., 1925, and every five years thereafter in the manner stated. (Agmt. 21 Mar., 1920, Art. 12.)

TEXT: French, B. F. S. P. 96: 51-84; Hdb. 1912: 670-700; English (trans.), Hertsllet 23: 1213-40.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged, as follows:

British subjects and imports into Persia, as well as Persian subjects and imports into the British Empire, shall continue to enjoy under all conditions most-favored-nation treatment, with special reference to:

⁶⁵ English, B. F. S. P. 101: 200-1; 102: 886-7; Hdb. 1912: 660-1.

⁶⁶ French and English (transl.), G. B. T. S. 1920, No. 17, Cmd. 1011.

(a) Customs procedure applied to merchandise imported into or exported from the United Kingdom by Persian subjects. (Art. V, *e*.)

(b) Transit taxes levied in Persia on British merchandise for upkeep of roads. (Art. IV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged to vessels and boats of both countries in all matters relating to trade and navigation, including port and harbor facilities and charges of all kinds. (Agmt., 21 Mar., 1920,⁶⁶ Art. 4.)

III. Other provisions.

(a) Prohibitions or restrictions against exportation of merchandise from either country may be imposed only in the interests of public safety or to prevent exportation of foodstuffs or materials of industry needed in the country of production. (Art. III.)

(b) Responsibility assumed by Persia for safety of merchandise deposited in warehouses of Persian customs offices. British traders to have the right of storage in bond for 12 months without payment of duties or taxes therefor. (Art. V.)

(c) General regulations for improvement of Persian customs administration to be established in agreement with the British Legation at Teheran. Persia agrees to appropriate specified portion of her net revenue from customs duties to improve customs and trade facilities at her ports and land-frontier customs stations; including adequate, convenient, and expeditious means for loading and unloading of ships and the landing, customs examination, and storing of goods, and delivery of goods to consignees. (Agmt. 21 Mar., 1920,⁶⁶ Art. 10.)

(d) Transit facilities to be provided in either country for goods originating in or destined for the other. (*Ibid.*, Art. 5.)

(e) Excise duties on articles produced in Persia shall not be leviable on similar imported goods of British origin; except that, when excise duty is levied generally throughout Persia on tobacco, opium, spirits, or salt exceeding the import duty on similar goods, Persia may increase the import duty to the same amount; to be again reduced whenever the excise duty is decreased or discontinued. (*Ibid.*, Art. 6.)

(f) Persia agrees to take the necessary measures for regulation of trade-marks and merchandise marks to protect imported products against unfair competition from goods bearing counterfeit trade-marks or false marks or false indications of origin. But the benefit of this protection shall not be extended to products of territories in

⁶⁶ French and English (transl.), G. B. T. S. 1920. No. 17, Cmd. 1011.

which similar protection is not accorded to Persian products. (Ibid., Art. 8.)

(g) Persia will endeavor to place her currency on a more satisfactory basis and to stabilize exchange. (Ibid., Art. 11.)

(h) The import and export tariffs set out in Annex I to the agreement of 1920 are substituted for tariffs A and C of the convention of 1903; all references to tariff B in that convention are declared obsolete. (Ibid., Art. 9.)

(i) Revised texts of specified articles of Persian customs regulations. (Ibid., Annex II.)

IV. Application to British colonies.—This convention applies to the British Empire in general (Art. II); it is understood, however, that a British colony having a distinct customs system and ceasing to accord most-favored-nation treatment to Persian imports will no longer be entitled to claim such treatment for its own imports into Persia. (Art. II and agrt. 21 Mar., 1920,⁶⁶ Art. 3.)

Treaty with Peru.

No. 180.

Treaty of friendship, commerce, and navigation between Great Britain and Peru.

SIGNED 10 Apr., 1850. Ratifications exchanged 15 Oct., 1852. Duration indefinite, except as to Articles III to VI (most-favored-nation treatment in matters of commerce and navigation), which, being terminable separately (Art. XVI), were terminated in 1864.

TEXT: English, Hdb. 1912: 701-8.

I. Most-favored-nation treatment is reciprocally pledged in regard to:

(a) Assistance to each other's merchant vessels with respect to recovery of seamen deserters. (Art. X.)

(b) All privileges, exemptions, and immunities accorded to diplomatic and consular officers in either country. (Art. XI.)

II. National treatment is reciprocally pledged in regard to:

(a) Right of citizens of either country to come with their ships and cargoes to all places, ports, and rivers in the other where trade with other nations is permitted, and right to reside there, and to hire and occupy houses and warehouses, and trade by wholesale or retail in all kinds of merchandise of lawful commerce, enjoying the same exemptions and privileges and subject to the same laws, decrees and established customs as native subjects. (Art. II.)

(b) Right of citizens of either country to manage their affairs in the other, personally or otherwise, without being obliged to employ brokers, interpreters, etc., other than those employed by native citi-

⁶⁶ French and English (transl.), G. B. T. S. 1920, No. 17, Cmd. 1011.

zens, or to pay other or higher remuneration than native citizens pay, with full liberty to buy and sell all articles of lawful commerce and to fix prices thereof, without being prejudiced by any privilege granted to other individuals to buy or sell. (Art. VII.)

(c) All rights and privileges regarding protection of persons and property, open access to courts of justice, and right to employ advocates or other agents in any cause. (Art. VII.)

(d) All privileges, liberties, rights, imposts, or duties relating to police of the ports; loading and unloading of ships; warehousing and safety of merchandise, goods, and effects; succession to personal estates by will or otherwise and disposal of personal property of every sort in any manner whatever, subject to the local laws and regulations in force. (Art. VIII.)

(e) All ordinary charges, requisitions, or taxes in either country. (Art. IX.)

(f) Any charges or demands made by either country upon property of citizens of the other in case of rupture or war between the two nations. (Art. XII.)

(g) Salvage and other expenses incurred by vessels of either nation wrecked on the coast of the other. (Art. XIV.)

III. Other provisions of this treaty relate to:

(a) Consular jurisdiction of property left intestate in either country by deceased subjects of the other. (Art. VIII.)

(b) Exemption of each other's citizens from all compulsory military service whatever, by land or sea, and from all forced loans and military exactions or requisitions. (Art. IX.)

(c) In case of rupture or war, citizens of either country may continue their trade or employment in the other without interruption so long as they behave peaceably and observe the laws, their property to be exempt from seizure and sequestration. In case they prefer to leave the country they shall have from 6 to 12 months to wind up their accounts and dispose of their property, and safe conduct to a port of their own selection. (Art. XII.)

(d) Protection of each other's citizens in regard to their persons, houses, and properties; freedom of conscience and religious belief, and right of burial with suitable decorum and respect. (Art. XIII.)

(e) Assistance to be given in either country to shipwrecked vessels of the other. (Art. XIV.)

(f) Peru agrees to cooperate with Great Britain for total abolition of the slave trade. (Art. XV.)

Treaty with Portugal.

No. 181.

Treaty of commerce and navigation between Great Britain and Portugal.

SIGNED 12 Aug., 1914. Ratifications exchanged 20 May, 1916. Effective from 23 Sept., 1916, for 10 years, and thereafter until terminated by 12 months' notice from either party. Terminable separately at any time on 12 months' notice as regards dominions, colonies, possessions, or protectorates adhering thereto. (Art. 23.)

TEXT: English and Portuguese, G. B. T. S. 1916, No. 6, Cd. 8402; English, Hertslet 27: 1022-7.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any privilege, favor, or immunity which either country may accord in matters relating to commerce, navigation, and industry, in all respects. (Art. 3.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Duties or charges levied by either country on importation of products of the other, from whatever place arriving, and on exportation of its products to the other. (Art. 5.)

(b) Treatment accorded by either country to the goods of the other with regard to their importation, exportation, or reexportation, and duties relating thereto; also customs facilities, warehousing, transshipment, drawbacks, and commerce and navigation in general. (Art. 5.)

(c) Any prohibition or restriction imposed by either country against importation of products of the other, from whatever place arriving; except:

(1) Sanitary or other prohibitions to protect the safety of persons or of cattle, or of plants useful for agriculture.

(2) Measures applicable in either country to articles enjoying a direct or indirect bounty in the other. (Art. 7.)

(d) Any prohibitions or restrictions imposed by either country against exportation of any article to the other. (Art. 7.)

(e) Any prohibitions or restrictions imposed by either country against transit of products of the other. (Art. 8.)

(f) Treatment of commercial travelers and their samples in either country. (Art. 10.)

(g) Right of vessels of either country to carry passengers to or from the other, and to import or export into or from either country any merchandise which may be legally imported or exported, and all privileges, duties, or charges relating thereto. (Art. 11.)

(h) Stationing, loading, and unloading of vessels in ports, docks, and waters of either country, and all privileges relating thereto. (Art. 14.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged respecting war charges connected with possession of landed property, also quartering of troops and other special requisitions or exactions for military forces in either country. (Art. 2.)

III. National treatment is reciprocally pledged in general terms respecting all rights, privileges, liberties, immunities, and other favors in matters of commerce and industry (Art. 1), with special reference to:

(a) Access with ships and cargoes to all places, ports, or rivers in either country. (Art. 1.)

(b) Any duties, taxes, imposts, or licenses of any kind imposed by either country in respect of commerce or industry. (Art. 1.)

(c) Acquisition and possession of or succession to every description of property movable or immovable and disposal thereof in any manner whatever, including export of property or proceeds thereof, and all taxes, duties, imposts, or other charges of whatever kind relating thereto. (Art. 4.)

(d) Excise, octroi, or consumption dues levied by the State or by municipalities in either country. These must not bear more heavily on imported articles of the other country than on similar articles of native origin. (Art. 9.)

(e) Any dues payable in either country by vessels of the other seeking refuge from damage or shipwreck, also salvage and other expenses in case of stranding or shipwreck. (Art. 15.)

(f) All rights regarding patents for inventions, trade-marks, or designs subject to formalities prescribed by law in either country. (Art. 20.)

IV. Other provisions.

(a) Subjects of either country are exempt in the other from all personal military service and from all war charges, forced loans, and military requisitions or contributions of whatever nature, except those connected with possession of landed property, as noted above under II; and their properties cannot be seized or sequestered, nor their ships, cargoes, goods, or effects retained for any public use without equitable compensation previously allowed. (Art. 2.)

(b) The descriptions "Port" and "Madeira" applied to wine imported into and sold for consumption in the United Kingdom is a false trade description within the meaning of the merchandise marks act 1887, unless said wines are the produce of Portugal and the Island of Madeira. (Art. 6 and declar., Art. 1.)

(c) Products of either country are exempt from all transit duties in the other, whether passing direct or unloaded, warehoused, and reloaded. (Art. 8.)

(d) Temporary duty-free admission of commercial travelers' samples subject in either country to customs regulations and formalities relating thereto. (Art. 10.)

(e) Each country reserves the right to confine the coasting trade to its national vessels. But vessels of either country may load or discharge foreign cargo at different ports of the other on the same voyage, and may carry from port to port passengers holding through tickets or merchandise consigned on through bills of lading to or from some foreign place. (Art. 12.)

(f) Commercial, industrial, and financial companies and associations duly organized and registered in either country may exercise their rights in the other, with special reference to actions in courts (Art. 17); subject to conditions stated regarding establishment of local branches or agencies for banking or assurance operations (final protocol).

(g) Arbitration of controversies regarding interpretation or application of this treaty, or of conventional tariffs between the contracting parties and third States, and statement of procedure relating thereto. (Art. 22.)

V. Exceptions.

(a) Provisions of this treaty do not apply to the coasting trade, each country reserving the right to confine to national vessels the trade between any port within its territories. (Art. 12.)

(b) Most-favored-nation provisions do not include special favors which Portugal may accord to the goods or vessels of Spain and Brazil. (Final protocol.)

VI. Application to colonies.—This treaty applies to Portugal and to adjacent islands (Madeira, Porto Santo, and Azores), but not to any of the dominions, colonies, possessions, or protectorates of either party except those adhering thereto before 21 May, 1917. Nevertheless, products of any colony, possession, etc., of either party receive complete and unconditional most-favored-nation treatment in Portugal and the United Kingdom, respectively, so long as the products of either country are given by such colony, possession, etc., treatment as favorable as products of any foreign country. (Art. XXI.)

For colonial accessions see G. B. T. S. 1919, No. 10, Cd. 302.

Treaty with Rumania.

No. 182.

Treaty of commerce and navigation between Great Britain and Rumania.

SIGNED 31 Oct., 1905. Ratifications exchanged 17 Mar., 1906. Effective until 17 Mar., 1910, and thereafter until terminated by 12 months' notice from either party. (Art. XVIII.)

TEXT: English, B. F. S. P. 98: 86-97; Hdb. 1912: 730-42.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any privilege, favor, or immunity which either party may grant in matters relating to commerce, navigation, and industry. (Art. II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Acquisition and possession of all kinds of property and disposal or inheritance thereof in any manner whatever. (Art. III.)

(b) Rights of citizens of either country in the other with regard to exemption from compulsory military service by land or sea and from obligation to accept judicial, administrative, or municipal functions, and all contributions, exactions, or requisitions relating thereto. (Art. IV.)

(c) All duties, charges, prohibitions, or restrictions on importation into either country of products of the other, from whatever place arriving; except sanitary measures for protection of persons, cattle, or useful plants, and measures applicable in either country to articles receiving a direct or indirect bounty in the other. (Art. V.)

(d) Any charges imposed by either country on exportation of its products to the other, and any prohibitions imposed on exportation of any article from either country to the other. (Art. VI.)

(e) Any privilege accorded by either country in respect to its fisheries and coasting trade. (Art. X.)

(f) Treatment of commercial travelers and their samples in either country. (Declar. annexed.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with respect to taxes, imposts, or obligations of any kind whatever imposed upon persons, property, commerce, and industry in either country. (Art. I.)

III. National treatment is reciprocally pledged in regard to:

(a) Freedom of commerce and navigation (Art. I); except fisheries and the coasting trade of either country (Art. X).

(b) All taxes, duties, imposts, or charges on acquisition, disposal, inheritance, or export of property or of proceeds thereof. (Art. III.)

(c) All privileges and immunities regarding free access to courts of justice and employment of advocates and agents therein. (Art. III.)

(d) Internal duties affecting the production or consumption of any article in either country. These must not bear more heavily on imported products of the other country than on similar articles of native origin. (Art. VIII.)

(e) Right of vessels of either country to import into or export from the other any merchandise which may be legally imported or

exported, and all privileges, duties, or charges relating thereto. (Art. IX.)

(*f*) All privileges in regard to stationing, loading, and unloading of vessels in ports, docks, and waters of either country. (Art. XI.)

(*g*) All duties of tonnage, harbor, pilotage, lighthouse, quarantine, or analogous duties of any kind, no matter by whom or how levied in either country on ships of the other, from whatever place arriving or whatever their destination. (Art. XII.)

(*h*) All privileges and immunities accorded by either country to ships of the other seeking refuge from damage or shipwreck, including payment of dues relating thereto. (Art. XIII.)

IV. Other provisions.

(*a*) Exemption of each other's citizens from all compulsory military service by land or sea, and from all contributions imposed as equivalent therefor; from judicial, administrative, and municipal functions (save those relating to jury service and guardianship), and from all military exactions or requisitions, save those incumbent on possession of landed property. (Art. IV.)

(*b*) Products of the United Kingdom enumerated in the tariff annexed to the treaty shall not, on importation into Roumania, pay other or higher duties than specified in said tariff. (Art. V.)

(*c*) Products of either country are exempt from all transit duties in the other, whether passing direct, or unloaded, warehoused, and reloaded. (Art. VII.)

(*d*) Exemption from internal duty in either country of products of the other intended for warehousing or transit. (Art. VIII.)

V. Exceptions.—Nothing in this treaty shall be allowed to derogate from:

(*a*) Special laws, ordinances, or regulations of either country applicable to all foreigners and relating to matters of police and public security, or to encouragement of national industry. (Declar. annexed.)

(*b*) Reservation in favor of native subjects of the exercise of certain trades or professions in conformity with the laws of the two countries. (Ibid.)

(*c*) Favors which may be accorded to adjoining States to facilitate local traffic within a zone not exceeding 15 kilometers broad on each side of the frontier. (Ibid.)

VI. Application to British colonies.—This treaty applies only to those colonies, possessions, or protectorates beyond the seas which adhered thereto before 17 Mar., 1907. Nevertheless, products of any British colony, possession, etc., are entitled to complete and unconditional most-favored-nation treatment in Roumania, so long as such colony, etc., accords to Roumanian products treatment as favorable as to products of any other foreign country. (Art. XVII.)

For list of colonial accessions (which does not include Canada, Australia, New Zealand, South Africa, or India), see Hdb. 1912: 742, or Hertslet 24: 959.

Treaties with Russia.

No. 183.

Agreement between Great Britain and Russia⁶⁷ respecting commercial relations between Russia and Zanzibar.

SIGNED 24 Aug., 1896, at London. Effective for 10 years from date of signature, and thereafter terminable on 12 months' notice from either party. Subject to modification at any time by common consent, as experience may render desirable. (Art. III.)

TEXT: French, B. F. S. P. 88: 17-19; Hdb. 1912: 754-5.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) in matters of commerce and navigation, and in all other respects; with special reference to:

(a) Duties which either country may impose on vessels or merchandise of the other on importation or exportation. (Art. I.)

(b) All rights, privileges, immunities, and exemptions to be accorded to consuls of either country in the other. (Art. II.)

II. Exceptions.—The provisions of Article I (noted under I and I *a* above) do not apply to:

(a) Favors which Russia may accord to residents of the Province of Archangel regarding importation and exportation, or concerning trade with the north and east coasts of Siberia. (Art. I, 1.)

(b) Special stipulations of the Treaty of 8 May, 1838, between Russia and Sweden and Norway. (Ibid., 2.)

(c) Russian commerce with Asiatic countries bordering on Russia. (Ibid.)

No. 184.

Preliminary trade agreement between Great Britain and the Russian Soviet government.

SIGNED 16 Mar., 1921, at London. Effective from date of signature until replaced by a general peace treaty between the two countries; but terminable after 12 months by either party on 6 months' notice, and terminable immediately by either party upon breach of stated conditions by the other. (Art. XIII.)

TEXT: English, Bd. Tr. J. 17 Mar., 1921: 295-6.

I. Most-favored-nation treatment.

(a) Each country agrees not to exercise any discrimination against trade with the other in any commodities which may be legally imported into or exported from either country, as compared with trade carried on with any other foreign country; subject always to legisla-

⁶⁷ See p. 757, note 195.

tion generally applicable in the respective countries (Art. I); and subject to exceptions noted below under III *a*.

(*b*) Telegrams and radiotelegrams of official agents of either country in the other shall enjoy any right of priority over private messages that may be generally accorded to messages of the official representatives of foreign governments in either country. (Art. V.)

(*c*) Russian official agents in the United Kingdom shall enjoy the same privileges in respect of exemption from taxation, central or local, as are accorded to official representatives of other foreign governments. British official agents in Russia shall enjoy equivalent privileges, which shall in no case be less than those accorded to official agents of any other country. (Art. V.)

II. Other provisions.

(*a*) This agreement is subject to fulfillment of the following conditions:

(1) That each party refrains from hostile action or undertakings against the other and from conducting outside of its own borders any official propaganda (as defined) against the institutions of the other, with special reference to Russian action or propaganda in India and Afghanistan, and to England's attitude toward independent countries which formed part of the former Russian Empire.

(2) That all British subjects in Russia are immediately permitted to return home, and that all Russian citizens in any part of the British Empire who desire to return to Russia are similarly released. (Preamble.)

(*b*) Both parties agree not to impose or maintain any form of blockade against each other, and to remove all obstacles hitherto placed in the way of resumption of trade between the United Kingdom and Russia, and agree not to place any impediments in the way of banking, credit, and financial operations for the purpose of such trade. (Art. I.)

(*c*) The ships of either country, their masters, crews, and cargoes shall enjoy in ports of the other in all respects the treatment, privileges, facilities, immunities, and protection which are usually accorded by the established practice of commercial nations to foreign merchant ships, their masters, crews, and cargoes, visiting their ports, including the facilities usually accorded in respect of coal and water, pilotage, berthing, dry docks, cranes, repairs, warehouses, and generally all services, appliances, and premises connected with merchant shipping (Art. II), subject to exceptions noted below under III *b*.

(*d*) The British Government undertakes not to take part in any measures tending to restrict or hinder Russian ships from exercising the rights of free navigation of the high seas, straits, and navigable

waterways which are enjoyed by ships of other nationalities. (Art. II.)

(e) The Russian Soviet Government undertakes to clear the sea passages to the ports and shores of Russia from mines. (Art. III.)

(f) Citizens of either country carrying on trade in the other are exempt from all compulsory services whatsoever, whether civil, naval, military, or other, and from any contributions imposed as equivalent for personal service, and shall have right of egress. (Art. IV.)

(g) Provisions concerning communications by post, telegraph, and wireless telegraphy, in accordance with provisions of the general international telegraph and postal conventions. (Art. IV.)

(h) Either country may appoint official agents to reside in the other, to facilitate execution of this agreement, and to protect the interests of their nationals. Statement of rights, immunities, and facilities to be accorded by either country to official agents of the other. (Arts. V, VI.)

(i) Exchange of private postal and telegraphic correspondence between both countries is renewed by this treaty, as well as dispatch and acceptance of wireless messages and parcels by post, in accordance with rules and regulations existing up to 1914. (Art. VII.)

(j) Passports, documents of identity, powers of attorney, and similar documents issued or certified by the competent authorities in either country to enable trade to be carried on under this agreement shall be treated in the other country as if they were issued or certified by the authorities of a recognized foreign Government. (Art. VIII.)

(k) The British Government agrees not to initiate any steps with a view to attach or take possession of any gold, funds, securities, or commodities (not being articles identifiable as the property of the British Government) which may be exported from Russia in payment for imports or as securities for such payment, or of any movable or immovable property which may be acquired by the Russian Soviet Government within the United Kingdom. (Art. IX.)

(l) The British Government will not take steps to obtain any special legislation not applicable to other countries against the importation into the United Kingdom of precious metals from Russia (other than British or allied), or the storing, analysing, refining, melting, mortgaging, or disposing thereof in the United Kingdom, and will not requisition such metals. (Art. IX.)

(m) Provision concerning disposal of Government funds or property of either country in the other. (Art. X.)

(n) Products of either country imported into the other in pursuance of this agreement shall not be subjected therein to com-

pulsory requisition on the part of the Government or of any local authority. (Art. XI.)

(o) Provision concerning rights and claims of nationals of either party in respect of patents, trade-marks, designs, and copyrights in the territory of the other. (Art. XII.)

(p) Declaration recognizing claims of either party or of its nationals against the other in respect of property, rights, and services, or in respect of obligations incurred by the existing or former Government of either country. (Decl. annexed.)

III. Exceptions.

(a) Nothing in Art. I (noted under I *a* above) shall:

(1) Prevent either party from regulating the trade in arms and ammunition under general provisions of law. (Art. I.)

(2) Be construed as overriding provisions of any general international convention binding on either party by which the trade in any particular article may be regulated, as for example the opium convention. (Art. I.)

(b) Nothing in Article II (noted under II *d* above) shall impair the right of either party to take precautions authorized by its laws with regard to admission of aliens into its territories. (Art. II.)

Treaty with the Serb-Croat-Slovene State.⁶⁸

No. 185.

Treaty of commerce between Great Britain and Serbia.

SIGNED 17 Feb., 1907. Ratifications exchanged 31 Mar., 1908. Effective until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. Terminable separately at any time by 12 months' notice from either party as regards any British colony, possession, or protectorate adhering thereto. (Art. XVI.)

TEXT: English, Hdb. 1912: 761-74; B. F. S. P. 100: 561-9.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any privilege, favor, or immunity which either country may grant in matters relating to commerce, navigation, and industry, in all respects. (Art. II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Acquisition and possession of every description of property, movable or immovable, which laws of the country permit foreigners to acquire and possess. (Art. III.)

(b) Rights of citizens of either country in the other with regard to exemption from compulsory military service by land or sea, and from obligation to accept judicial, administrative, or municipal

⁶⁸ See p. 771, note 197.

functions; and all contributions, exactions, or requisitions relating thereto. (Art. IV.)

(c) Import duties, charges, or prohibitions imposed by either country on products of the other, from whatever place arriving; except sanitary and other prohibitions to secure the safety of persons or of cattle, or of plants useful to agriculture, and except measures applicable in either country to articles enjoying a direct or indirect bounty in the other. (Art. V.)

(d) Any charges imposed by either country on exportation of its products to the other. (Art. VI.)

(e) Any prohibitions imposed by either country against exports of any articles to the other. (Art. VI.)

(f) Treatment accorded by either country to commercial travelers of the other and their samples. (Art. VIII.)

(g) All facilities, privileges, exemptions, and immunities accorded by either country to consular officers. (Art. X.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged regarding all taxes, imposts, or obligations of any kind payable in either country in respect of persons, commerce, and industry. (Art. I.)

III. National treatment is reciprocally pledged in general terms respecting all rights, privileges, favors, immunities, and exemptions in matters of commerce and navigation (Art. I), with special reference to:

(a) Access with ships and cargoes to all ports and places in either country. (Art. I.)

(b) Disposal of every description of property, movable or immovable, by sale, gift, testament, or any other manner, and all taxes, imposts, or charges of any kind relating thereto, including right to export property or proceeds thereof, and all duties relating thereto. (Art. III.)

(c) All privileges and immunities regarding access to courts of justice in either country, and employment of agents and advocates therein. (Art. III.)

(d) Internal duties affecting production or consumption, levied in either country for the State or for local authorities or corporations. These must not bear more heavily on imported products from the other country than on similar articles of native production, except the Serbian duties known as Trosharina (as fixed by specified laws) levied on British products not produced in Serbia. (Art. IX.)

(e) Rights of citizens of either country in regard to patents for inventions, trade-marks, and designs, subject to formalities prescribed by law. (Art. XI.)

IV. Other provisions.

(a) Exemption of each other's citizens from all compulsory military service by land or sea, from all contributions in lieu of personal service, and from any military exactions or requisitions (subject to exceptions regarding which most-favored-nation treatment is pledged); also from all judicial, administrative, and municipal functions, except those imposed by the laws relating to juries. (Art. IV.)

(b) Specified import duties in Serbia on products of the United Kingdom are listed in the tariff annexed to the treaty. (Art. V.)

(c) Products of either country passing through the other are exempt from all transit duties, whether passing direct or unloaded, warehoused, and reloaded. (Art. VII.)

(d) Products of either country imported into the other for warehousing or transit are exempt from all internal duties. (Art. IX.)

(e) Government seizure of goods purporting by false indications of origin to be British or Serbian products. (Art. XII.)

(f) Arbitration of controversies regarding interpretation or application of the tariff annexed to this treaty and (subject to a special understanding) of tariff rates between the two countries and third States (Art. XIV); also statement of procedure relating thereto (Final protocol).

(g) Serbia undertakes to prevent unfair competition with British yarns introduced into Serbia in bundles. (Declaration.)

V. Exceptions.—Most-favored-nation stipulations noted under *I c* above do not apply to:

(a) Obligations imposed on either country by a customs union. (Art. XV, 1.)

(b) Favors granted to adjoining States to facilitate local frontier traffic within 15 kilometers of the boundary line, such favors to be extended only to products of agriculture, stock raising, dairy farming, forestry, fisheries, and similar articles, but in no case to industrial products. (Art. XV.) This provision not to be binding as regards a convention on this subject which may be concluded between Serbia and Bulgaria. (Art. XV, 2, and final protocol.)

VI. Application to British colonies.—This treaty does not apply to British colonies, possessions, or protectorates beyond the seas, except those adhering thereto before 1 April, 1909. Nevertheless, products of any British colony, etc., receive in Serbia complete and unconditional most-favored-nation treatment so long as such colony, etc., accords to Serbian goods treatment as favorable as to products of any other foreign country. (Art. XIII.) Serbia to receive reasonable notice from any British colony, etc., intending to withdraw such treatment theretofore accorded to Serbian products. (Final protocol.)

For a long list of British colonies adhering to this treaty (which does not include India, Canada, Australia, New Zealand, or South Africa) see B. F. S. P. 100:568-9, or Hdb. 1912:774.

Treaties with Siam.

No. 186.

Treaty between Great Britain and Siam and commercial agreement annexed thereto.

SIGNED 20 June, 1826. Articles IV, V, VII, IX, and parts of VI and X were abrogated by treaty of 18 Apr., 1855, and Article XIII partially annulled at request of Siam. The remaining articles are subject to revision on 12 months' notice from either party. (Treaty of 1855, Art. XI, see No. 187.) Confirmed by treaty of 10 Mar., 1909, see No. 188.

TEXT: English, B. F. S. P. 23: 1153-9; Hdb. 1912: 775-81.

Articles not abrogated by later treaties contain provisions dealing with:

(a) Defrauding of the merchants of either country by subjects of the other. (Art. VI.)

(b) Assistance and protection to vessels in distress, treatment of property collected from shipwrecked vessels, and succession to property left in either country by deceased subjects of the other. (Art. VIII.)

(c) Trade of certain British Asiatics with Siam over land and by water. (Art. X.)

(d) Prevention of sale of imported firearms, etc., except to Siamese Government. (Com. agrt. annexed, Art. 1.)

No. 187.

Treaty of friendship and commerce between Great Britain and Siam as amended by supplementary agreement.

SIGNED 18 Apr., 1855. Ratifications exchanged 5 Apr., 1856. Duration indefinite. (Art. XII.) Subject to revision on 12 months' notice from either party. (Art. XI.) Many articles amended by supplementary agreement of 13 May, 1856.⁶⁹ Confirmed by treaty of 1909, see No. 188.

TEXT: B. F. S. P. 46: 138-46; Hdb. 1912: 781-802.

I. Most-favored-nation treatment is pledged by Siam to the British Government and its subjects respecting free and equal participation in any privileges which Siam may grant to the Government or subjects of any other nation. (Art. X.)

II. National treatment is pledged by Siam in regard to:

(a) Taxation of landed property in Siam owned by British subjects conformably to conditions stated. (Art. IV, schedule of taxes appended to supp. agrt. 1856.⁶⁹)

⁶⁹ English, Hdb. 1912: 791-802; B. F. S. P. 46: 146-57.

(b) British shipping privileges in Siam, including all privileges granted to Siamese or Chinese vessels or junks. (Art. VIII.)

III. Other provisions relate to:

(a) Protection and assistance by either country to subjects of the other for purposes of residence and trade. (Art. I.)

(b) Right of British subjects to trade in all Siamese seaports, to reside within limits assigned by this treaty, and to buy or rent houses or lands within boundaries defined. (Art. IV and supp. agrt.,⁶⁹ Arts. X, XI.)

(c) Right of British subjects to dispose of their property at will. Consular administration of estates left in Siam by British decedents. (Supp. agrt.,⁶⁹ Art. III.)

(d) Consular registration of British residents in Siam. Passports required for travel outside residential limits. (Art. V and supp. agrt.,⁶⁹ Art. V.)

(e) Right of British subjects to free exercise of the Christian religion, and to employ Siamese as servants. (Art. VI.)

(f) Import duties to be 3 per cent of market value of the goods, payable in kind or money, at option of importer. Drawback of full amount to be allowed on goods reexported. (Art. VIII.)

(g) Exports of Siamese products to pay one impost only, under whatever name levied, as specified in tariff annexed. (Art. VIII.)

(h) English merchants may purchase directly from producers and sell directly to purchaser. (Art. VIII.)

(i) British shipbuilding in Siam permitted, under license. (Art. VIII.)

(j) Export of salt, rice, and fish may be prohibited when scarcity is apprehended. (Art. VIII and supp. agrt.,⁶⁹ Art. VI.)

(k) Bullion or personal effects (as defined) may be imported or exported free of charge. (Art. VIII; supp. agrt.,⁶⁹ Art. VII.)

(l) Regulations (appended to this treaty) for conduct of British trade in Siam to be enforced by the British consul and Siamese authorities in cooperation. (Art. IX.)

(m) Tariff annexed to the treaty specifying export and inland duties to be levied on articles of trade.

No. 188.

Treaty between Great Britain and Siam relating to boundaries, jurisdiction, rights of property, taxes, etc.

SIGNED 10 Mar., 1909. Ratifications exchanged 9 July, 1909. Duration indefinite.

TEXT: English, B. F. S. P. 102: 126-33; Hdb. 1912: 814-22.

I. National treatment is pledged by Siam to British subjects respecting all rights and privileges, with special reference to rights of

⁶⁹ English, Hdb. 1912: 791-802; B. F. S. P. 46: 146-57.

property, residence, and travel, and all taxes or services imposed by law on Siamese subjects. (Art. VI.)

II. Other provisions.

(a) British subjects in Siam to be exempt from all military service and from all forced loans and military exactions or contributions. (Art. VI.)

(b) Jurisdiction of Siamese courts to be extended to British subjects in manner stated, under conditions defined in Jurisdiction Protocol annexed to the treaty. (Art. V.) For O. in C. providing for exercise of British jurisdiction in Siam, see Hertslet 27:1038-52.

(c) Confirmation of all previous treaties, conventions, etc., between the two countries. (Art. VII.)

Treaties with Spain.

No. 189.

Treaty of peace and friendship between Great Britain and Spain.

SIGNED 23 May, 1667, at Madrid. No time limit stated.

TEXT: English (transl.), B. F. S. P. 1: 563-608; Hdb. 1912: 823-38.

I. Most-favored-nation treatment is reciprocally pledged in general terms to subjects of either country in all territories and waters of the other with regard to all privileges, securities, liberties, and immunities of every kind, whether concerning their persons or trade. (Art. XXXVIII.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Power and authority of consuls of either country in the execution of their charge in the other. (Art. XXVII.)

(b) Freedom of subjects of either country to choose the advocates, agents, and solicitors they may wish to employ in the other, and to keep their books of account, traffic, and correspondence in any language they please, without being constrained to show their books and papers of account. (Art. XXXI.)

II. National or most-favored-nation treatment (optional) is pledged to British subjects respecting any export duties, tolls, or other imposts payable in Spain or Spanish dominions. (Art. V.)

III. Other provisions.

(a) Subjects of either country may freely and securely enter any ports or places of the other where trade and commerce are allowed, and may trade there, buying or selling from or to any inhabitants, native or foreign. (Art. II.)

(b) Freedom of subjects of either country to engage in trade, commerce, and navigation in all territories of the other, by land, sea, or fresh waters where trade and commerce are allowed; to repair their ships and carriages; and to depart freely and return to their

own or other countries; subject only to payment of the existing duties and customs, and to observing the laws of the country. (Arts. IV, VII.)

(c) Extension to British merchants of privileges and immunities granted by Spain in specified extensive cédulas of 1645 and 1663, and by an elaborate treaty of 1648, annexed to this treaty. (Arts. VIII, IX, and Annexes 1-3.)

(d) Disputes between masters and seamen, or merchants, to be settled in the first instance by consuls. (Art. XIX.)

(e) Right of subjects of either country to reside in the other, and to acquire and occupy houses, warehouses, and stores. (Art. XXX.)

(f) Property of subjects of either country dying in the other to be preserved for lawful heirs and successors, subject to rights of third parties. (Arts. XXXIII-IV.)

(g) Detailed and extensive provisions concerning letters of reprisal, marque, or countermarque (Art. III); prevention and punishment of unauthorized exactions of taxes, duties, gifts, or other charges (Art. VI); freedom of ships from unauthorized search (Art. X); exemption of vessels from payment of duties on undischarged cargo (Art. XI); drawbacks (Art. XII); treatment of ships in distress (Art. XIII); immunity of subjects of either country and their property from arbitrary detention in the other (Art. XVII); confiscation of prohibited merchandise and contraband (Arts. XVI, XXIII-XXVI); freedom of conscience (Art. XXVIII); sequestration of estates (Art. XXXII); and burial of British subjects dying in Spanish dominions (Art. XXXV).

No. 190.

Treaty of peace and friendship between Great Britain and Spain.

SIGNED 13 July, 1713, at Utrecht. No time limit stated.

TEXT: English (transl.). B. F. S. P. 1: 611-15; Hdb. 1912: 855-9.

I. Most-favored-nation treatment is reciprocally pledged in general terms to subjects of either country in the other respecting all favors of any kind which either party may grant to subjects of France or any other foreign nation; with special reference to any privileges, liberties, and immunities in regard to duties, impositions, or customs relating to persons, goods, merchandise, ships, freight, seamen, navigation, or commerce. (Art. IX.)

II. Other provisions.

(a) All earlier treaties of peace, friendship, confederation, and commerce between the two countries are renewed and confirmed, so far as not contrary to the treaties of peace and commerce which were last made and signed; with special reference to agreements, treaties,

and conventions relating to exercise of commerce and navigation. (Art. XV.)

(b) Subjects of either country violating any article of this treaty are made personally responsible therefor, and liable to punishment according to law. (Art. XVII.)

(c) In case of war between the two countries, the property of subjects of either country remaining in the other shall not be confiscated or suffer any damage, and six months shall be allowed to the owners to remove or dispose of the same. (Art. XVIII.)

No. 191.

Treaty of navigation and commerce between Great Britain and Spain.

SIGNED 9 Dec., 1713, at Utrecht. No time limit stated.

TEXT: English (transl. from Latin), B. F. S. P. 1: 615-27; Hdb. 1912: 859-72.

I. Most-favored-nation treatment is reciprocally pledged in general terms to subjects of either country in the other respecting all rights, favors, or advantages of any kind which either party may grant to any foreign nation, with special reference to:

(a) Any privileges, liberties, and immunities concerning all imposts whatsoever relating to persons, wares, merchandise, ships, freighting, mariners, navigation, and commerce. (Art. II.)

(b) Any duties or other imposts payable on imports or exports, or any reductions thereof. (Ibid.)

(c) Any favors in matters concerning courts of justice or relating to trade. (Ibid.)

II. Other provisions.

(a) Confirmation of Article XXXVIII of the treaty of 23 May, 1667. (Art. II.)

(b) Any minister or subject of either country violating any article of this treaty shall be responsible for all damage occasioned thereby; and, if holding any public office, shall be deprived of the same. (Art. XVI.)

No. 192.

Treaty of commerce between Great Britain and Spain.

SIGNED 14 Dec., 1715, at Madrid. No time limit stated.

TEXT: English and Spanish, B. F. S. P. 1: 627-39; English, Hdb. 1912: 873-4.

I. Most-favored-nation treatment is reciprocally pledged in general terms to subjects of either country respecting all rights, privi-

leges, franchises, exemptions, and immunities which either party may grant to the subjects of any other nation, with special reference to payment of duties on imports and exports. (Art. V.)

II. National treatment is pledged by Spain respecting duties payable in Spanish territories by British subjects. (Art. IV.)

III. Other provisions.—Specified treaties of 1667, 1700, and 9 Dec., 1713, are confirmed. (Arts. II, V, and VII.)

No. 193.

Treaty of commerce between Great Britain and Spain.

SIGNED 5 Oct., 1750, at Madrid. No time limit stated.

TEXT: English and Spanish, B. F. S. P. 1: 642-5; English, Hdb. 1912: 882-4.

I. Most-favored-nation treatment is reciprocally pledged in general terms to subjects of either country respecting all rights, privileges, franchises, exemptions, and immunities which either party may grant to the subjects of any other nation, with special reference to payment of duties on imports and exports. (Art. VII.)

II. National treatment is pledged by Spain with regard to imposts payable in Spanish territories by British subjects. (Art. VI.)

No. 194.

Agreement between Great Britain and Spain respecting commercial relations between the two countries.

EFFECTED by exchange of notes 20/29 June, 1894. Extended by notes of 28/29 Dec., 1894,⁷⁰ until conclusion of a permanent commercial treaty, subject to termination by either party on six months' notice.

TEXT: English, B. F. S. P. 86: 11-12.

Most-favored-nation treatment.—Under this agreement goods arriving in Spain and her colonies from the United Kingdom and the British colonies are entitled to tariff concessions and advantages as follows:

(a) In Spain and the adjacent islands such goods are subject to the minimum tariff and entitled to the advantages conceded by treaty to Switzerland, Sweden and Norway, Netherlands, or to other European States except Portugal.

(b) In the Spanish colonies such goods will continue to be treated under the minimum column of the colonial tariff.

⁷⁰ English, Hdb. 1912: 896-7.

Treaty with Sweden.**No. 195.***Treaties of peace, commerce, and alliance between Great Britain and Sweden.*

SIGNED, respectively, on 21 Oct., 1661, and 5 Feb., 1766. Renewed and confirmed by the treaty of peace, union, and friendship signed 18 July, 1812. (English, Hdb. 1912: 920-2.) Terminable separately as regards certain British dominions, as noted below under No. 196, IV.

TEXT: English, Hdb. 1912: 911-20.

I. Most-favored-nation treatment is reciprocally pledged with regard to all privileges, relaxations, liberties, and immunities relating to residence, travel, and trade throughout the dominions and territories of either country (Treaty 1661, Art. IV); and, in general terms, with regard to all rights, advantages, and immunities whatever (Treaty of 5 Feb., 1766, Art. 2).

II. Other provisions in the treaty of 1661 relate to:

(a) Immunity of persons, vessels, and goods from arbitrary arrest and seizure. (Art. V.)

(b) Assistance and protection to warships or merchant vessels of either country seeking refuge from damage or shipwreck in ports or waters of the other. (Arts. VI, VII.)

(c) Administration of justice and protection of persons. (Art. VIII.)

(d) Freedom of travel and trade, subject to the laws concerning trade and commerce in either country. (Art. X.)

(e) No treaty to be made with other nations prejudicial to this treaty. (Art. XVI.)

(f) Detailed provisions relating to passports (Art. XII), prizes (Art. XIII), and infraction of treaty by private individuals in either country (Art. XIV).

Treaty with Sweden and Norway.**No. 196.***Convention of commerce and navigation between Great Britain and Sweden and Norway.*

SIGNED 18 Mar., 1826. Effective until 18 Mar., 1836, and thereafter until terminated by 12 months' notice from either party. (Art. XII.) Terminable separately at any time by 12 months' notice from either party as regards Canada, Australia, South Africa, New Zealand, and Newfoundland, as noted below.

TEXT: English and Swedish, B. F. S. P. 13: 12-22; Sweden Tr. 1910: 773-83; English, Hdb. 1912: 925-31; Norwegian, Norway Tr. 1914: 220-5.

I. Most-favored-nation treatment is reciprocally pledged in all matters and regulations of trade and navigation (Art. IX), with special reference to:

(a) Import duties levied by either country on products of the other. (Art. IX.)

(b) Prohibitions or restraints imposed by either country against importation of products of the other or on exportation of its own products to the other (Art. IX.)

(c) All privileges, facilities, and advantages regarding treatment of commercial travelers and their samples. (Decl. 13 Oct., 1883.⁷¹)

Most-favored-nation treatment is pledged to Sweden respecting all facilities and privileges concerning commerce with the British dominions, except those in the possession of the East India Co. (Art. VII.)

II. National treatment is reciprocally pledged in regard to:

(a) Duties or charges on vessels of either country in ports of the other. (Art. II.)

(b) Any merchandise legally importable into or exportable from either country in its own vessels may likewise be imported or exported in ships of the other. (Art. III.)

(c) Duties levied and bounties, drawbacks, or allowances granted by either country on imports or exports in ships of the other. (Art. IV.)

(d) No priority or privilege to be given in the purchase of imported products of either country on account of the character of the vessel in which the article is imported. (Art. V.)

(e) Right of either country to import its products or those of its colonies into overseas colonies of the other (except into British colonies in possession of the East India Co.) in its own vessels direct from home ports, without paying higher duties or charges than are payable on similar articles when imported in ships of the mother country from any source; except articles forbidden to be imported into such colonies, or admitted only from ports of the mother country. (Art. VI.)

(f) Any goods legally exportable from colonies of either country may be exported therefrom (except British colonies in possession of the East India Co.) in ships of the other; the same charges being paid by vessels and cargoes and the same drawbacks allowed as when carried in national ships. (Art. VII.)

III. Other provisions.

(a) Right of British vessels to import into Sweden any merchandise of European origin permitted to be imported into Sweden from any port whatever; except a few specified articles importable in British vessels only when proceeding direct from some port of the United Kingdom. (Art. X.)

(b) Vessels of Sweden trading with possessions held by the East India Co. may dispose of their cargoes in any foreign port not within the limits of that company's charter, except ports of the United Kingdom and its dependencies. (Addl. article.)

⁷¹ French, Hdb. 1912: 931.

IV. Application to British colonies.—This convention applies to all British dominions. By declaration of 27 Nov., 1911,⁷² between Great Britain and Sweden, however, it was agreed that Canada, Australia, New Zealand, South Africa, and Newfoundland might withdraw from this convention (and from the treaties of 1654, 1656, 1661, and 1766), at any time on 12 months' notice, without impairing their validity as between Sweden and other parts of the British Empire which might desire to remain bound thereby. But that nevertheless the products of the above-named British dominions should receive in Sweden complete and unconditional most-favored-nation treatment so long as they accord to Swedish products treatment as favorable as to products of any other foreign country.

As regards Norway, the convention is terminable at any time on 12 months' notice with respect to Canada, Australia,⁷³ New Zealand, South Africa, and Newfoundland. (Conv. 16 May, 1913.⁷⁴)

Treaty with Switzerland.

No. 197.

Treaty of friendship, commerce, and reciprocal establishment between Great Britain and Switzerland.

SIGNED 6 Sept., 1855. Ratifications exchanged 6 Mar., 1856. Effective until 6 Mar., 1866, and thereafter until terminated by 12 months' notice from either party. (Art. XI.)

TEXT: English and French, B. F. S. P. 45: 21-9; English, Hdb. 1912: 935-9.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting any favors which either party may grant in matters of commerce. (Art. X.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Acquisition, possession, and disposal in any manner of every description of property which the laws of the country permit any foreigners to hold. (Art. IV.)

(b) All privileges, exemptions, and immunities granted to consuls by either country. (Art. VII.)

(c) All duties imposed by either country on importation, warehousing, transit, or exportation of products of the other. (Art. IX.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in respect to:

(a) Right of citizens of either country to enter and reside in any part of the territories of the other, and there to hire and occupy

⁷² English, B. F. S. P. 104: 202; Hertslet 26: 953-4.

⁷³ Australia (with Papua and Norfolk Island) has withdrawn from the convention of 1826, and also from the treaties with Sweden named above under IV, as from 10 Feb., 1915. (Hertslet 27: 978 and 1062.)

⁷⁴ English, G. B. T. S. 1913, No. 14, Cd. 7095; Hertslet 27: 980.

houses and warehouses for residence and commerce, exercise any profession or business, and trade by wholesale or retail in any articles of lawful commerce, personally or by agents of their own free choice. (Art. I.)

(b) All taxes, charges, or conditions concerning residence, establishment, passports, licenses, and exercise of business, trades, professions, or occupations in either country, and every right, privilege, or exemption relating to any of these. (Art. I.)

(c) All duties, taxes, demands, imposts, or charges imposed in territories of either country in time of peace or war on citizens of the other or their property. (Art. VI.)

(d) All that relates to importation, warehousing, transit, and exportation of any article of lawful commerce. (Art. VIII.)

III. National treatment is reciprocally pledged in regard to:

(a) All rights and privileges regarding free and open access to courts of justice and employment of advocates or agents therein. (Art. III.)

(b) Succession to property in either country, personally or by agents, and all imposts, duties, or charges concerning inheritance, acquisition, possession, disposal, or export of property or of proceeds if sold. (Art. IV.)

IV. Other provisions.

(a) Nationals of either country returning from the other to their native land, whether voluntarily or otherwise, for causes named, must be received at all times and under all circumstances. (Art. II.)

(b) Exemption in either country of dwellings and other premises belonging to citizens of the other from arbitrary visits or search, and exemption of their books, papers, and accounts from inspection or examination, except in conformity with legal procedure described. (Art. III.)

(c) Exemption of each other's citizens from all compulsory military service by land or sea, and from all contributions imposed as compensation for personal service, and from military requisitions, except lodging and supplies demandable alike from citizens and foreigners for the military on a march. (Art. V.)

V. Application to British colonies.—This treaty applies to all British dominions. But Articles IX and X (stipulating reciprocal most-favored-nation treatment of products of either country in territories of the other) are terminable separately at any time on 12 months' notice from either party as regards their application to Canada, Australia,⁷⁵ South Africa, New Zealand, and Newfoundland. (Addl. conv., 30 Mar., 1914.⁷⁶)

⁷⁵ Australia has withdrawn. (G. B. T. S. 1919, No. 10, Cd. 302.)

⁷⁶ English, *Hertslet* 27:1067-8.

Treaty with Tonga.**No. 198.***Treaty of friendship, etc., between Great Britain and Tonga.*

SIGNED 29 Nov., 1879. Ratifications exchanged 3 July, 1882. Effective from date of signature. (Art. V.) Duration indefinite.

TEXT: English, B. F. S. P. 70: 9-12; Hdb. 1912: 943-6.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged to subjects of either country in territories of the other, respecting all rights, privileges, and immunities; the King of Tonga further engaging to grant to no other sovereign or State any rights, powers, or privileges in Tonga exceeding those accorded to Great Britain. (Art. II.)

II. Other provisions relate to:

(a) Administration of justice in Tonga. Criminal suits for offenses cognizable by British law (as defined), and all civil suits against British subjects, to be tried by a special British court. (Art. III.)

(b) Extradition of Tongans from British territory. (Art. IV and protocol.)

Treaties with Turkey.**No. 199.**

Capitulations of 1675, act of 1799, note of 1802 respecting commerce in the Black Sea, and treaty of 1809 between Great Britain and Turkey.

SIGNED 1675, 30 Oct., 1799, 23 July, 1802, and 5 Jan., 1809, respectively. Duration indefinite. Capitulations of 1675 and act of 1799 confirmed by treaty of 1809. Confirmed by Article 261 of the treaty of peace with Turkey of 10 Aug., 1920 (not yet ratified), and extended to all the allied powers.

TEXT: English, B. F. S. P. 1: 747-73; Hdb. 1912: 947-76.

I. Most-favored-nation treatment is pledged by the Sublime Porte to the English in respect to all capitulations, privileges, and articles granted to the French, Venetian, and other princes who are in amity with the Sublime Porte (Capitulations of 1675, Art. XVIII); with special reference to privileges of commerce and navigation of the Black Sea by British merchant vessels (Act of 30 Oct., 1799, and note of 23 July, 1802).

II. Capitulations of 1675 contain extensive and elaborate provisions regarding privileges and liberties of British subjects in Turkey, and their right to engage in trade and commerce. The more important of these provisions relate to:

(a) Freedom of commerce and navigation in the dominions of the Porte granted to the English nation and merchants, and to all merchants sailing under the English flag. (Art. I.)

- (b) Nonmolestation of British subjects in Turkey. (Art. II.)
- (c) Liberty of British vessels to remain or depart. (Art. III.)
- (d) Assistance to vessels in distress. (Arts. IV-VI.)
- (e) Protection to persons and property of English merchants. (Art. VII.)
- (f) Public authentication of contracts to which English merchants are parties. (Art. IX.)
- (g) False charges against English subjects to be referred to the British ambassador. (Art. X.)
- (h) Release of British subjects found in slavery on demand of their ambassador or consul. (Art. XII.)
- (i) Exemption of resident Englishmen from all tribute. (Art. XIII.)
- (j) Appointment of consuls in specified ports. (Art. XIV.)
- (k) Disputes between Englishmen to be decided by their ambassador or consul. (Art. XVI.)
- (l) Freedom of English vessels from molestation or detention at sea. (Art. XVII.)
- (m) Restoration of English ships or goods captured or plundered and punishment of the offenders. (Art. XIX.)
- (n) Observance of the capitulations by Turkish governors, etc. (Art. XX.)
- (o) Freedom of trade for English vessels in Turkish waters. (Art. XXIII.)
- (p) Presence of ambassador, consul, or interpreter at law suits to which an Englishman is party. (Arts. XV and XXIV.)
- (q) Inviolability of persons and abode of consuls. Lawsuits involving consuls to be represented to the Sublime Porte. (Art. XXV.)
- (r) Succession to property of deceased British subjects. (Art. XXVI.)
- (s) Privileges and liberties of Englishmen to be always observed, and no fees to be demanded by fiscal officers on distribution of their property. (Art. XXVII.)
- (t) Liberty to reexport goods unsold and to land the same at another port free of duty. (Art. XXXI.)
- (u) Duty of 3 per cent on trade at Aleppo, Egypt, and other ports. (Art. XXXIV.)
- (v) No duty payable on merchandise not landed with a view to sale. (Arts. XXXIX, XLI.)
- (w) Liberty of vessels to depart after landing goods and paying duties. (Art. XL.)
- (x) Criminal trials of Englishmen only in presence of ambassador or consul. (Art. XLII.)

(y) Numerous later articles, often confirming some of the above, or prescribing details as to collection of duties, etc. (Arts. XLIII-LXXV.)

III. Treaty of 1809, besides confirming the capitulations of 1675 and the act of 1799 (Art. IV) contains provisions of commercial interest as follows:

(a) Reciprocal friendly treatment of each other's subjects and their commerce in either country. (Art. V.)

(b) Most-favored-nation treatment of British ambassadors in Turkey. Turkish ambassadors in England to enjoy all the honors accorded to British ambassadors in Turkey. (Art. VII.)

(c) Appointment and privileges of consuls. Turkish consuls in British dominions to enjoy the same treatment and immunities accorded to British consuls in Turkey. (Art. VIII.)

(d) Great Britain promises to respect the ancient rule of the Ottoman Empire forbidding passage of the Dardanelles and Bosphorus by vessels of war in time of peace. (Art. XI.)

Treaties with the United States of America.

Treaties of Great Britain with the United States have been previously dealt with in this volume under America. United States of, Nos. 23 to 26.

Treaty with Venezuela.

No. 200.

Treaty of friendship, commerce, and navigation between Great Britain and Venezuela.

SIGNED, 18 Apr., 1825. Duration indefinite. This treaty was originally concluded between Great Britain and Colombia (of which Venezuela then formed an integral part) but was adopted and confirmed by a special convention signed 29 Oct., 1834, between Great Britain and Venezuela, which in turn was renewed and confirmed by exchange of notes of 13 Feb., 1903. (English and Spanish, B. F. S. P. 22: 151-6; English. 96: 214-15.)

TEXT: English, Hdb. 1912: 1029-36.

I. Most-favored-nation treatment is reciprocally pledged in regard to:

(a) All duties levied in either country on importation of products of the other. (Art. IV.)

(b) All duties levied in either country on exportation of any articles to the other. (Art. IV.)

(c) Any prohibitions imposed by either party on importation or exportation of products of either country to or from the other. (Art. IV.)

(d) All privileges, liberties, and rights relating to administration of justice; loading or discharging of vessels; safety of merchandise, goods and effects; and disposal of or succession to personal property

of every description, by will or otherwise, in any manner whatever. (Art. IX.)

(e) Citizens of Venezuela to have the same right as any other foreigners as regards access with ships and cargoes to all places, ports, and rivers in British dominions outside of Europe, and right to reside there and to hire and occupy houses and warehouses, with complete protection for their commerce, subject always to the laws and statutes in force. (Arts. II, III.)

II. National treatment is reciprocally pledged in respect to:

(a) All duties or charges on account of tonnage, light or harbor dues, pilotage, salvage, and any other local charges imposed in either country on ships of the other. (Art. V.)

(b) Equal treatment of each other's vessels regarding importation or exportation, the same duties to be paid on importation into either country of products of the other, and the same duties, bounties, or drawbacks to apply on exportation of products of either country to the other, whether carried in vessels of either nation. (Art. VI.)

(c) All ordinary taxes and all imposts or duties relating to loading and unloading of ships, warehousing, administration of justice, and disposal of or succession to personal property by will or otherwise in any manner whatever. (Art. IX.)

(d) Any demands made by either country upon property of citizens of the other in case of war between the two countries. (Art. XI.)

III. Other provisions.

(a) Citizens of either country may come with their ships and cargoes to all places, ports, and rivers open to foreigners in the other, and may reside there and hire and occupy houses and warehouses, with complete protection for their commerce, subject always to the laws and statutes in force. (Art. II.)

(b) Rules for determining nationality of vessels. (Art. VII.)

(c) Right of subjects of either country to manage their affairs in the other personally or by agents of their own choice, without being obliged to pay brokers, interpreters, or other agents unless they choose to employ them; buyers and sellers to be free to bargain and fix the prices of goods imported or exported into or from either country. (Art. VIII.)

(d) Exemption of each other's citizens from all compulsory military service whatever by land or sea and from all forced loans or military exactions and requisitions. (Art. IX.)

(e) Appointment of consular officers in either country for protection of trade. (Art. X.)

(f) In case of rupture or war citizens of either country residing in the other may remain and continue their trade without interruption so long as they behave peaceably and observe the laws; their property to be exempt from seizure or sequestration. (Art. XI.)

(g) Freedom of science, exercise of religious worship, and right of burial, with due respect to the laws and customs of the country. (Art. XII.)

(h) Venezuela undertakes to cooperate with Great Britain for total abolition of the slave trade. (Art. XIII.)

IV. Application to British colonies.—This treaty is limited to European territories of Great Britain, except that most-favored-nation treatment is pledged to citizens of Venezuela in all British dominions outside of Europe as regards access with ships and cargoes to all places, ports, and rivers therein to which other foreigners are admitted, and right to reside there and hire and occupy houses and warehouses, with complete protection for their commerce, subject always to the laws and statutes in force. (Arts. II, III.)

54083—22—25

BRITISH EMPIRE: CANADA.⁷⁷

Treaty with France.

No. 201.

Commercial arrangement between Canada and France.

SIGNED 29 Jan., 1921. Effective until conclusion of a new commercial treaty, subject to termination by either party on four months' notice. (Art. 6.)

TEXT: English, Bd. Tr. J. 17 Mar., 1921: 306-7; French, J. O. 13 Mar., 1921: 3135-6.

I. Most-favored-nation treatment is reciprocally pledged as follows:

(a) Canada undertakes to apply to importation of products coming from France or of French origin the most favorable tariff and taxes which she may grant to the products of any third power; except products of the United Kingdom and of British dominions and possessions. (Art. 1.)

(b) Canada grants most-favored-nation treatment to France as regards exportation, transit, consumption taxes, and domestic taxes. (Art. 2.)

(c) Except as noted below under III, Canadian products imported into France shall be entitled to the treatment guaranteed by the conventions of 19 Sept., 1907,⁷⁸ and 23 Jan., 1909⁷⁸ (Art. 3), namely:

(1) The benefit of the minimum tariff and of the lowest rates of customs duty applicable to like products of other foreign origin on importation into France, Algeria, French colonies and possessions, and the protectorate of Indo-China. (Conv. 1907, Arts. I and VII.)

(2) Every reduction of customs duty granted by France to any foreign country on any of the products enumerated in schedule A annexed to the convention of 1907 (Ibid., Art. II); except as noted below under III.

(3) Most-favored-nation treatment as regards any prohibition or restriction which France may establish against importation, exportation, or transit; except temporary measures to protect the public health, to prevent spread of animal disease or destruction of crops, or in view of the events of war. (Ibid., Art. X.)

⁷⁷ See also p. 290, note 40.

⁷⁸ English, B. F. S. P. 102: 77-83.

(4) Most-favored-nation treatment in everything relating to importation, exportation, reexportation, transit, warehousing, storage, transshipment, consumption, fulfillment of customs formalities, and in general everything relating to pursuit of trade and industry; except privileges granted to bordering States to facilitate frontier traffic, and special privileges arising out of the customs union of France with Monaco. (Ibid., Art. XI.)

(5) Most-favored-nation treatment as regards protection of trade-marks, patents, commercial names, and industrial designs and patterns. (Ibid., Art. XVII.)

II. National treatment.—Canadian products imported into France, Algeria, the French colonies and possessions, and the protectorate of Indo-China shall not pay other or higher duties of excise, internal consumption, or octroi than are payable on like products of French origin. (Art. 3, and conv. 1907,⁷⁸ Art. XII.)

III. Other provisions.—Canadian products enumerated in lists I and II attached to this agreement shall enjoy on importation into France a percentage of reduction specified in said lists, to be applied as stated. (Arts. 4, 5.)

Treaty with the West Indies.

No. 202.

Trade agreement between Canada and the West Indies.

SIGNED 18 June, 1920, at Ottawa. Proclaimed 18 June, 1921. Effective for 10 years after proclamation, and thereafter until terminated by 12 months' notice in manner stated. (Art. XVIII.)

TEXT: Canada Memo. No. 6 (7 June, 1921): 25-33.

I. Contracting parties: Canada, Bahamas, Barbados, Bermuda, British Guiana, British Honduras, Jamaica, Leeward Islands, Trinidad, and Windward Islands.

II. Preferential duties on West Indian products.

(a) Articles listed in schedule A annexed to this agreement (sugar, cocoa beans, lime juice, limes, arrowroot, cocoanuts, grapefruit, rum, and onions), being products of any of the colonies named above under I, are granted by Canada the preferential treatment specified in said schedule. (Art. III.)

(b) Products of any of the colonies named above under I (except tobacco, cigars, cigarettes, and spirituous or alcoholic liquors, and except articles subject to specified preferences noted under II a) shall never pay more than half the customs duties which Canada may impose on similar goods imported from any foreign country. (Art. II.)

III. Preferential duties on Canadian products.

(a) Articles listed in schedule B, being products of Canada, are granted customs preference by the colonies named above under I, as follows:

⁷⁸ English, B. F. S. P. 102: 77-83.

Flour, not less than one shilling per barrel or bag of 196 pounds.

Spirits, not less than two shillings six pence per gallon.

Wine, beer, and ale, duty not to exceed four-fifths of full rate. (Art. VI.)

(b) Products of Canada (except tobacco, cigars, and cigarettes, and except articles subject to specified preferences noted under III a), shall never pay more than the following fractions of customs duties payable in said colonies (named above under I) on similar goods imported from any foreign country:

(1) In Barbados, British Guiana, and Trinidad, not more than one-half. (Art. V, a.)

(2) In British Honduras, Leeward Islands, and the Windward Islands, not more than two-thirds. (Ibid., b.)

(3) In Bermuda and Jamaica, not more than three-fourths. (Ibid., c.)

(4) In Bahamas, not more than nine-tenths (Ibid., d); this preference not to apply to wines, malt liquors, spirits, spirituous liquors, liquid medicines, and articles containing alcohol. (Art. VII.)

IV. Other provisions.

(a) This agreement shall not interfere with existing or future preferences granted by any of the parties to any other part of the British Empire, nor with preferences granted by West Indian colonies (named above under I) among themselves. (Art. IX.)

(b) Extensive and detailed stipulations concerning establishment of mail, passenger, and freight steamship service between Canada and the West Indies, with special reference to ports of call; capacity, speed, and accommodation of steamers; and amounts to be contributed by the respective colonies toward such subsidized steamship service. (Arts. X-XVI.)

BRITISH EMPIRE: EGYPT.^a

America, United States of, to British Empire.

Treaties of Egypt with the following countries have been previously dealt with in this volume under:

America, United States of, No. 18.

Austria-Hungary, No. 69.

Belgium, No. 98.

Great Britain (under British Empire), No. 152.

Treaty with Bulgaria.

No. 203.

Exchange of notes between Egypt and Bulgaria concerning reciprocal most-favored-nation treatment.

SIGNED 13 Feb., 1906, at Cairo. Effective from 1 Jan., 1906, until conclusion of a commercial treaty between the two countries.

TEXT: French, B. F. S. P. 100: 816-17; Martens 88: 869-70.

Most-favored-nation treatment is reciprocally pledged in general terms respecting all rights and advantages which either country may accord in matters of commerce and navigation, with special reference to taxes payable in either country on products and merchandise of the other; except tobacco, tombac, salt, saltpeter, natron, hashish, and arms.

Treaty with Germany.⁷⁹

No. 204.

Commercial convention between Egypt and Germany, as amended by additional convention.

SIGNED 19 July, 1892, at Alexandria. Effective (as amended by additional convention of 17 Mar., 1910⁸⁰) from 14 July, 1910, until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Addl. conv., Art. VI.)

TEXT: German, Hdv. 1906: 1178-1215; French B. F. S. P. 84: 168-205.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms to the subjects, commerce, and navigation of either country (subject to exceptions noted below)

⁷⁹ See p. 546, note 128.

⁸⁰ French, B. F. S. P. 103: 428-31; German, Hdv. 1915: 226-30.

^a Egypt was declared a sovereign state and the British protectorate abolished on 28 Feb., 1922, according to an announcement made in the House of Commons on that day by the Prime Minister. Since then the British Parliament has ratified the removal of the protectorate and recognized Egypt's independence. On 16 Mar., 1922, all British ambassadors and ministers abroad were instructed to inform all foreign governments of the new status. (Cur. Hist. XVI: 163-4.)

respecting all privileges, favors, or immunities of any kind which either party may accord to any other country in matters concerning commerce, navigation, transit, and payment of duties on importation and exportation. (Art. IV.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) All duties imposed by either country on importation of products of the other, from whatever place arriving (Arts. II and XXIV); including tobaccos manufactured in either country when accompanied by certificates of origin, and products of most-favored-nation countries when imported from Germany (Addl. conv.,⁸⁰ Art. II).

(b) Any duties or charges imposed by either country on exportation of any articles to the other. (Art. III.)

(c) Any prohibitions which Egypt may impose on importation or exportation to or from Germany, except measures to protect the public health, or the health of animals, or of plants useful to agriculture. (Arts. II, III.)

(d) Any rights or advantages which either country may accord in respect to its coasting trade. (Art. V.)

(e) Any advantages, privileges, immunities, or tariff reductions which either country may accord in matters concerning internal taxes of consumption or excise of any kind, whether levied by the State or by communes or corporations in either country. (Art. X.)

(f) Application in either country to subjects and merchandise of the other of regulations concerning special taxes, accessory customs duties, and remuneratory dues of any kind. (Art. X.)

(g) Every facility which Egypt may accord by its customs regulations to the subjects, vessels, navigation, and commerce of any other foreign power. (Art. XXI.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Treatment of vessels of either country in the other, in all respects from whatever place arriving and whatever the place of origin or destination of the cargoes. This stipulation applies to local regulations, pilotage, taxes, and all remuneratory dues levied in ports, basins, docks, roadsteads, and harbors of either country, and generally to all that concerns navigation, with special reference to duties or restrictions imposed by either country on articles imported or exported in ships of the other. (Art. V.)

(b) Application to German subjects and merchandise of any restrictions or taxes concerning traffic or importation of arms and other objects specified under III g below. (Art. XII.)

⁸⁰ French, B. F. S. P. 103: 428-31; German, HdV. 1915: 226-30.

(c) Treatment of German subjects with regard to any advantages which Egypt may accord respecting commerce in cigars, tobaccos, tombac, salt, saltpetre, natron, and hashish, with special reference to payment of import duties. (Exchange of notes attached.)

(d) Treatment of German subjects and merchandise as regards any advantages which Egypt may accord in matters concerning commerce with the Sudan. (Procès-verbal, 5.)

III. Other provisions.

(a) The Egyptian Government undertakes not to impose any prohibition against importation, except for reasons of public safety, health, or morality, and to protect animals or useful plants. (Art. II.)

(b) Nationality of vessels to be reciprocally recognized in accordance with the laws of each country. (Art. V.)

(c) Egypt undertakes not to subject products of Germany to any duty exceeding 10 per cent ad valorem, except specified articles (silk fabrics, wines, petroils, animals, cereals, and flours) which may be made dutiable up to 15 per cent. (Arts. VI and XXIV.)

(d) Export duties levied in Egypt shall not exceed 1 per cent ad valorem, payable on values to be established by the Egyptian customs administration in the manner described. (Art. VIII.)

(e) German merchandise passing through Egypt is exempt from transit duties, except coal embarked in Egypt. (Art. IX.)

(f) Egypt undertakes not to impose any consumption or excise duty on imported merchandise, except on specified articles (drinks, liquids, victuals, fodder, fuel, and construction materials) which may be subjected to internal duties of which the total must not exceed 2 per cent ad valorem. (Art. X.)

(g) Right of Egypt to prohibit importation of arms, munitions, powder, and other explosives, except objects specified in the table annexed, which may be imported subject to Egyptian police regulations, likewise annexed to this convention. (Art. XII and Annexes 1 and 2.)

(h) Detailed provisions concerning duty-free admission of commercial samples, subject to customs formalities relating thereto. (Art. XIII and addl. conv.,⁸⁰ Art. III.)

(i) Detailed provisions concerning exemption from Egyptian customs duties of personal effects of consular officers (Art. XIV), and of objects belonging to German religious, educational, and charitable institutions in Egypt (Procès-verbal and addl. conv.,⁸⁰ Art. V).

(j) Detailed stipulations concerning warehousing facilities in Egyptian ports (Art. XV), customs administration and valuation of merchandise (Arts. VII, XVI-XVIII), prevention of smuggling (Arts. XIX, XX), application of Egyptian customs regula-

⁸⁰ French, B. F. S. P. 103:428-31; German Hdv. 1915:226-30.

tions annexed to this convention (Art. XXI), and differential duties payable in Egypt on merchandise which has paid duties in Turkey (Art. XXIII).

(*k*) The provisions of the capitulations and of other existing treaties are confirmed, so far as not inconsistent with this convention. (Art. XXVI.)

(*l*) Vessels of German shipping companies maintaining regular communications with Egypt and all German ships over 400 tons capacity shall have the right to engage in the coasting trade of Egypt. (Procès-verbal, 3.)

(*m*) Detailed provisions concerning importation of arms, munitions, and explosives and police regulations relating thereto. (Annexes 1 and 2.)

(*n*) Detailed customs regulations in 42 sections. (Annex 3.)

IV. Exceptions.

(*a*) The stipulations of this convention do not apply to:

(1) Tobacco, tombac, salt, saltpeter, natron, and hashish, but national or most-favored-nation treatment is pledged with reference thereto, as noted under II *c* above. (Art. XI.)

(2) Special arrangements between Egypt and other parts of the Ottoman Empire under the administration of the Sublime Porte or between Egypt and Persia. (Art. XXII.)

(3) Arrangements which Egypt may make regarding exchange of native or foreign merchandise with the Sudan (Ibid.), but national and most-favored-nation treatment is pledged with reference thereto, as noted under II *d*, above.

(*b*) Articles I to V do not apply to the coasting trade, but most-favored-nation treatment is reciprocally pledged with reference thereto, as noted under I *d*, above. (Art. V.)

(*c*) The benefits of the German conventional tariff rates cannot be claimed for cereals or wines imported from Egypt unless they originate in countries entitled to most-favored-nation treatment in Germany. (Procès-verbal, 2.)

V. Territorial application.—Stipulations of this convention apply to the German Empire and to all territories included in the German customs union. (Art. XXV.)

Treaty with Great Britain.

See No. 152.

Treaty with Greece.

No. 205.

Treaty of commerce and navigation between Egypt and Greece.

SIGNED 4 June, 1906, at Athens. Effective from 28 June, 1906, for eight years, and thereafter until terminated by 12 months' notice from either party. (Art. 24.)

TEXT: French, Martens 85: 243-65.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms to the subjects, commerce, and navi-

gation of either country (subject to exceptions noted below) respecting all privileges, favors, or immunities of any kind which either party may accord to any other country in matters concerning commerce, navigation, transit, and payment of duties on importation and exportation. (Arts. 4, 20, and 23.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Right of subjects of either country to enter with ships and cargoes all places and ports open to foreigners in the other, and all rights, privileges, liberties, favors, immunities, or exemptions in matters of commerce and navigation, with special reference to payment of taxes or duties relating thereto. (Art. 1.)

(b) All duties imposed by either country on importation of products of the other, from whatever place arriving (Art. 2), including import duty on Greek tobaccos (Annex 3).

(c) Any prohibitions which Egypt may impose on importation or exportation to or from Greece, except measures to protect the public health, or the health of animals and of plants useful to agriculture. (Art. 2.)

(d) Any duties or charges imposed by either country on exportation of any articles to the other. (Art. 3.)

(e) Any rights or advantages which either country may accord in respect to its coasting trade on condition of reciprocity. (Art. 5.)

(f) Any rights, advantages, privileges, immunities, or tariff reductions which either country may accord in matters concerning internal taxes of consumption or excise of any kind, whether levied by the State or by communes or corporations in either country. (Art. 10.)

(g) Application in either country to subjects and merchandise of the other of regulations concerning special taxes, accessory customs duties, and remuneratory dues of any kind. (Art. 10.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Treatment of vessels of either country in the other in all respects, from whatever place arriving and whatever the place of origin or destination of the cargoes. This stipulation applies to local regulations, pilotage, taxes, and all remuneratory dues levied in ports, basins, docks, roadsteads, and harbors of either country, and generally to all that concerns navigation, with special reference to duties or restrictions imposed by either country on articles imported or exported in ships of the other. (Art. 5.)

(b) Application to subjects of Greece of regulations and tariffs which Egypt may impose concerning articles referred to under IV c below. (Art. 6.)

(c) Treatment of Greek subjects and merchandise as regards any advantages which Egypt may accord in matters concerning commerce with the Sudan. (Proces-verbal, C.)

III. National treatment is stipulated respecting internal duties of consumption or excise which Egypt may impose on products of Greece. (Art. 10.)

IV. Other provisions.

(a) The Egyptian Government undertakes not to impose any prohibition against importation, except for reasons of public safety, health, or morality, and to protect animals or useful plants. (Art. 2.)

(b) Nationality of vessels to be reciprocally recognized in accordance with the laws of each country. (Art. 5.)

(c) Egypt undertakes not to subject products of Greece to any duty exceeding 8 per cent ad valorem; except specified articles which may be made dutiable up to 15 per cent. (Art. 6.)

(d) Export duties levied in Egypt shall not exceed 1 per cent ad valorem, payable on values to be established by the Egyptian customs administration in the manner described. (Art. 8.)

(e) Greek merchandise passing through Egypt is exempt from transit duties, except coal embarked in Egypt. (Art. 9.)

(f) Egypt undertakes not to impose any consumption or excise duty on imported merchandise; except on specified articles (drinks, liquids, victuals, fodder, and construction materials), which may be subjected to internal duties of which the total must not exceed 2 per cent ad valorem. (Art. 10.)

(g) Egypt reserves right to prohibit importation of arms, munitions, powder, and other explosives; except objects specified in the table annexed, which may be imported subject to Egyptian police regulations likewise annexed to this convention. (Art. 12 and Annexes 7 and 8.)

(h) Detailed provisions concerning duty-free admission of commercial samples, subject to customs formalities relating thereto. (Art. 13.)

(i) Personal effects of diplomatic and consular agents of Greece are exempt in Egypt from customs inspection, and from payment of import or export duties. (Art. 14.)

(j) Detailed stipulations concerning warehousing facilities in Egyptian ports (Art. 15); customs administration, and valuation of merchandise (Arts. 7, 16, 17); and prevention of smuggling (Arts. 18, 19 and proces-verbal, B); application of Egyptian customs regulations annexed to this convention (Art. 20); and differential duties payable in Egypt on merchandise which has paid duties in Turkey (Art. 23).

(k) Greece undertakes to prohibit exportation of hashish from Greece to Egypt. (Procès-verbal A, I, II.)

(l) Egypt undertakes to prohibit exportation from its ports of all articles monopolized by the Greek Government. (Ibid.)

(*m*) Detailed and extensive provisions concerning importation of arms, etc.; also police regulations, and various exchanges of notes are annexed to this treaty. (Annexes 1-14.)

V. Exceptions.

(*a*) The stipulations of this treaty do not apply to:

(1) Tobacco, tombac, saltpeter, natron, and hashish (Art. 11); but most-favored-nation treatment is pledged with regard to import duty on Greek tobacco, as noted under I *b* above.

(2) Special arrangements between Egypt and other parts of the Ottoman Empire under direct administration of the Sublime Porte. (Art. 21, 1.)

(3) Arrangements which Egypt may make regarding exchange of native or foreign merchandise with the Sudan (Ibid., 2); but national or most-favored-nation treatment is pledged with reference thereto, as noted under II *c* above.

(*b*) Articles 1 to 5 (noted under I *a-e*, and II *a* above) do not apply to the coasting trade and interior navigation of either country, which remain subject to regulation by their respective laws. (Art. 5.)

Treaty with Italy.

No. 206.

Convention of commerce and navigation between Egypt and Italy.

SIGNED 14 July, 1906, at Alexandria. Effective from 16 Feb., 1909, for 21 years; subject to revision at the end of the seventh and fourteenth years. Provisions concerning reciprocal most-favored-nation treatment by either country of merchandise imported from the other may be terminated by Italy at any time after 12 months' notice. (Art. XXVII.)

TEXT: French, B. F. S. P. 100: 867-902; Boll. Leg. Dog. 26: 253-306.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms to the subjects, commerce, and navigation of either country (subject to exceptions noted below) respecting all privileges, favors, or immunities of any kind which either party may accord to any other country in matters concerning commerce, navigation, transit, and payment of duties on importation and exportation. (Arts. IV and XXIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(*a*) All duties payable on products of either country imported into the other. (Art. II.)

(*b*) Any prohibitions of importation which either country may establish against the other in the interests of public safety and morality, except as noted below under IV *a*. (Art. II.)

(*c*) All duties or charges imposed by either country on exportation of any articles to the other. (Art. III.)

(*d*) Any advantages, privileges, immunities, or tariff reductions which either country may accord in matters concerning internal

taxes of consumption or excise of any kind, whether levied by the State or by communes or corporations in either country. (Art. X.)

(e) Application by either country to subjects and merchandise of the other of regulations concerning special taxes, accessory customs duties, and remuneratory dues of any kind. (Art. X.)

(f) Any facility which Egypt may accord by its customs regulations to the subjects, vessels, navigation, and commerce of any other foreign power. (Art. XXI.)

(g) Treatment of Italian merchandise on importation into Egypt pending application to all other countries of changes made by this treaty in existing Egyptian tariff duties. (Art. XXIII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Right of subjects of either country to enter, with ships and cargoes, all places and ports open to nationals or foreigners in the other; and all rights, privileges, liberties, favors, immunities, or exemptions in matters of commerce and navigation, with special reference to payment of taxes or duties relating thereto. (Art. I.)

(b) Treatment of vessels of either country in the other, in all respects, from whatever place arriving and whatever the place of origin or destination of the cargoes. This stipulation applies to local regulations, pilotage, taxes, and all remuneratory dues levied in ports, basins, docks, roadsteads, and harbors of either country, and generally to all that concerns navigation, with special reference to duties or restrictions imposed by either country on articles imported or exported in ships of the other. (Art. V.)

(c) Application to Italian subjects and merchandise of any restrictions or taxes concerning traffic or importation of arms and other objects specified under III *g* below. (Art. XII.)

(d) Treatment of Italian subjects and merchandise as regards any advantages which Egypt may accord in matters concerning commerce with the Sudan. (Procès-verbal, II.)

(e) Treatment of Italian subjects with regard to any advantages which Egypt may accord respecting commerce in cigars, tobacco, tombac, salt, saltpeter, natron, and hashish, with special reference to payment of import duties. (Ibid., V.)

III. National treatment is stipulated with regard to:

(a) Internal duties of consumption or excise which Egypt may impose on products of Italy. (Art. X.)

(b) Right of subjects of either country to engage in the fishing industry in territorial waters of the other, subject to the same conditions, reservations, regulations, duties, and taxes as native citizens. (Art. XXV.)

IV. Other provisions.

(a) Each country agrees not to obstruct its commerce with the other by any prohibition against importation; except temporary prohibitions or restrictions on importation or transit for reasons of public safety, health, or morality, or to prevent spread of epizootic diseases and destruction of crops, or to protect useful plants. (Art. II.)

(b) Nationality of vessels to be reciprocally recognized in accordance with the laws of each country. (Art. V.)

(c) Egypt undertakes not to subject products of Italy to any duty exceeding 8 per cent ad valorem; except specified articles which may be made dutiable up to 15 per cent. (Arts. VI and XXIV.)

(d) Export duties levied in Egypt shall not exceed 1 per cent ad valorem, payable on values to be established by the Egyptian customs administration in the manner described. (Art. VIII.)

(e) Italian merchandise passing through Egypt is exempt from transit duties, except coal embarked in Egypt. (Art. IX.)

(f) Egypt undertakes not to impose any consumption or excise duty on imported merchandise; except on specified articles (drinks, liquids, victuals, fodder, and construction materials), which may be subjected to internal duties of which the total must not exceed 2 per cent ad valorem. (Art. X.)

(g) Egypt reserves right to prohibit importation of arms, munitions, powder, and other explosives; except objects specified in the table annexed, which may be imported subject to Egyptian police regulations likewise annexed to this convention. (Art. XII and annexes.)

(h) Detailed provisions concerning duty-free admission of commercial samples, subject to customs formalities relating thereto. (Art. XIII and procès-verbal, VI.)

(i) Detailed provisions concerning exemption from Egyptian customs duties of personal effects of Italian diplomatic and consular officers (Art. XIV), and of objects belonging to Italian religious, educational, and charitable institutions under protection of Italian consul in Egypt (Procès-verbal, IX.)

(j) Detailed stipulations concerning warehousing facilities in Egyptian ports (Art. XV); customs administration and valuation of merchandise (Arts. VII, XVI-XVIII); and prevention of smuggling (Arts. XIX, XX, and procès-verbal, III); application of Egyptian customs regulations annexed to this convention (Art. XXI); and differential duties payable in Egypt on merchandise which has paid duties in Turkey (Art. XXIII).

(k) All rights, privileges, and immunities accorded to Italian subjects, vessels, navigation, or commerce by existing capitulations,

treaties, or agreements are continued in force, except as modified by this treaty. (Art. XXVI.)

(7) Vessels of Italian shipping companies maintaining regular communications with Egypt, and all Italian vessels exceeding 400 tons capacity, may engage in the coasting trade of Egypt. (Procès-verbal, I.)

(m) Italian silkworm eggs coming from Italy and Italian books sent by mail are exempt in Egypt from customs duties. (Procès-verbal, VII, VIII.)

(n) Detailed provisions concerning importation of arms, etc.; also police regulations, and extensive customs regulations in 42 sections are annexed to the treaty.

V. Exceptions.

(a) The stipulations of this convention do not apply to:

(1) Tobacco, tombac, salt, saltpeter, natron, and hashish (Art. XI); but national or most-favored-nation treatment is pledged with reference thereto, as noted under II *c* above.

(2) Special arrangements between Egypt and other parts of the Ottoman Empire under direct administration of the Sublime Porte. (Art. XXII, 1.)

(3) Arrangements which Egypt may make regarding exchange of native or foreign merchandise with the Sudan (Ibid., 2); but national and most-favored-nation treatment is pledged with reference thereto, as noted under II *d* above.

(4) Favors which Italy may accord to other bordering States to facilitate frontier commerce, and reductions or exemptions from customs duties accorded to specified frontiers, or to inhabitants of certain districts. (Ibid., 3.)

(b) Articles I to V (noted under I, I *a-c*, and II *a-b* above) do not apply to the coasting trade and interior navigation of either country, which remain subject to regulation by their respective laws. (Art. V.)

VI. Territorial application.—The stipulations of this convention apply to the Italian Monarchy, except the Colony of Eritrea. (Art. XXVI.)

Treaty with Montenegro.

No. 207.

Exchange of notes between Egypt and Montenegro granting reciprocal most-favored-nation treatment.

SIGNED 21 July, 1905. The agreement holds indefinitely, subject to termination by either party on 12 months' notice.

TEXT: French, B. F. S. P. 100: 902-5; Martens 91: 318-20.

Most-favored-nation treatment is reciprocally pledged by either country to the commerce and navigation of the other respecting all

rights and advantages accorded by commercial treaties or agreements of either country in matters concerning the articles and products for which freedom of importation is stipulated in said treaties or agreements.

Treaty with Russia.⁸¹

No. 208.

Treaty of commerce and navigation between Egypt and Russia.

SIGNED 13 Mar., 1909, at Cairo. Effective from 20 June, 1909, until 31 Dec., 1918, and thereafter until terminated by 12 months' notice from either party; but terminable by Russia at any time on 12 months' notice. (Art. XXV.)

TEXT: French, B. F. S. P. 102: 976-1011.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) to the subjects, commerce, and navigation of either country respecting all privileges, favors, and immunities of any kind which either party may accord to any other country; with special reference to matters concerning commerce, navigation, transit, and payment of import or export duties. (Arts. II and IV.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Entrance with ships and cargoes to all ports and places open to foreigners in either country, and all rights, privileges, liberties, favors, immunities, and exemptions in matters concerning commerce and navigation, and payment of taxes or duties relating thereto. (Art. I.)

(b) Treatment of products of either country imported into the other, whether destined for consumption, warehousing, reexportation, or transit; with special reference to duties, taxes, imposts, contributions, surtaxes, or prohibitions. (Art. II.)

(c) Any prohibitions which either country may impose against the other concerning importation or exportation; except temporary prohibitions or restrictions of importation or transit which either country may impose for protection of public health, or to prevent propagation of epizootic diseases and destruction of crops, or to protect useful plants. (Art. III.)

(d) Application by either country to subjects and merchandise of the other of customs regulations concerning special taxes, supplementary duties, and other specified dues. (Art. X.)

(e) Any facility which Egypt may accord by its customs regulations to subjects, vessels, navigation, and commerce of any other foreign power. (Art. XXI.)

⁸¹ See p. 757, note 195.

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Treatment of vessels of either country in the other, in all respects, from whatever place arriving and whatever the place of origin or destination of the cargoes. This stipulation applies to local regulations, pilotage, taxes, and all remuneratory duties levied in ports, basins, docks, roadsteads, and harbors of either country, and generally to all that concerns navigation, with special reference to duties or restrictions imposed by either country on articles imported or exported in ships of the other. (Art. V.)

(b) Application to Russian subjects and merchandise of any restrictions or taxes concerning traffic or importation of arms and other objects specified under III *g* below. (Art. XII.)

(c) Treatment of Russian subjects and merchandise as regards any advantages which Egypt may accord in matters concerning commerce with the Sudan. (Procès-verbal, 2.)

(d) Treatment of Russian subjects with regard to any advantages which Egypt may accord respecting commerce in cigars, tobaccos, tombac, salt, saltpeter, natron, and hashish, with special reference to payment of import duties. (Ibid., 5.)

(e) All advantages, privileges, immunities, or tariff reductions which either country may accord in matters concerning internal taxes on consumption, or excise duties of any kind, whether levied for the State or for communes or corporations in either country. (Art. X.)

III. Other provisions.

(a) Each country agrees not to obstruct its commerce with the other by any prohibitions against importation, or against transit by routes open to transit, except for reasons of public safety, health, or morality and to protect animals or useful plants. (Art. III.)

(b) Nationality of vessels to be reciprocally recognized in accordance with the laws of each country. (Art. V.)

(c) Egypt undertakes not to impose on products of Russia any duty exceeding 8 per cent ad valorem, except higher duties on alcohols, as defined. (Art. VI.)

(d) Export duties levied in Egypt shall not exceed 1 per cent ad valorem, payable on values to be established by the Egyptian customs administration in the manner described. (Art. VIII.)

(e) Russian merchandise passing through Egypt is exempt from transit duties, except coal embarked in Egypt. (Art. IX.)

(f) Egypt undertakes not to impose any consumption or excise duty on imported merchandise, except on specified articles (drinks, liquids, victuals, fodder, and construction materials), which may be subjected to internal duties of which the total must not exceed 2 per cent ad valorem. (Art. X.)

(g) Both countries reserve the right to prohibit importation of arms, munitions, powder, and other explosives; but objects specified in table annexed may be imported into Egypt, subject to police regulations, likewise annexed to this treaty. (Art. XII and Annexes 2 and 3.)

(h) Detailed provisions concerning duty-free admission of commercial samples, subject to customs formalities relating thereto. (Art. XIII and *procès-verbal*, 6.)

(i) Detailed provisions concerning exemption from Egyptian customs duties of personal effects of diplomatic and consular officers (Art. XIV) and of objects belonging to the École Abed; also of Russian books and silkworm eggs. (*Procès-verbal*, 7-9.)

(j) Detailed stipulations concerning warehousing facilities in Egyptian ports (Art. XV); customs administration and valuation of merchandise (Arts. VII, XVI-XVIII); prevention of smuggling (Arts. XIX, XX); application of Egyptian customs regulations annexed to this convention (Art. XXI); and differential duties payable in Egypt on merchandise which has paid duties in Turkey (Art. XXIII).

(k) All rights, privileges, and immunities accorded to Russian subjects, vessels, shipping, or commerce by existing capitulations, treaties, or agreements to remain in force, except as modified by this treaty. (Art. XXV.)

(l) Vessels of Russian shipping companies maintaining regular communication with Egypt and all Russian ships over 400 tons capacity shall have the right to engage in the coasting trade of Egypt. (*Procès-verbal*, 1.)

(m) Detailed provisions concerning importation of arms, munitions, and explosives and police regulations relating thereto. (Annexes 2 and 3.)

(n) Detailed customs regulations in 42 sections are annexed to this convention.

IV. Exceptions.

(a) The stipulations of this treaty do not apply to:

(1) Tobacco, tombac, salt, saltpeter, natron, and hashish; but national or most-favored-nation treatment is pledged with reference thereto, as noted under II *d* above. (Art. XI.)

(2) Special arrangements between Egypt and other parts of the Ottoman Empire under direct administration of the Sublime Porte. (Art. XXII, 1.)

(3) Arrangements which Egypt may make regarding exchange of native or foreign merchandise with the Sudan (*Ibid.*); but national and most-favored-nation treatment is pledged with reference thereto, as noted under II *d* above.

(4) Favors which Russia may accord to other bordering States to facilitate frontier traffic within 15 kilometers of the boundary line. (Ibid, 3.)

(5) Favors resulting from a customs union which Russia may conclude with any third power. (Ibid.)

(6) Favors regarding importation or exportation which Russia may accord to inhabitants of the Province of Archangel, or concerning the north and east coasts of Siberia. (Ibid., 4.)

(b) Articles I to V of this treaty do not apply to the coasting trade and interior navigation of either country, the regulation of which remains subject to their respective laws. (Art. V.)

Treaties with the United States of America.

Treaties of Egypt with the United States have been previously dealt with in this volume under America, United States of, No. 18.

BRITISH EMPIRE: ZANZIBAR.

Treaties with Austria-Hungary.

Treaties of Zanzibar with Austria-Hungary have been previously dealt with in this volume under No. 90.

Treaty with France.

See France and Muscat, No. 296.

Treaty with Portugal.

No. 209.

Treaty of commerce, slave trade, etc., between Zanzibar and Portugal.

SIGNED 25 Oct., 1879, at Zanzibar. No time limit stated.

TEXT: Portuguese, Portugal Tr. 5:317-27; English (transl.), B. F. S. P. 70:1246-50.

I. Most-favored-nation treatment is pledged in general terms to Portuguese citizens respecting all advantages and privileges of commerce, and any other advantages which Zanzibar may accord to subjects or citizens of any other nation. (Art. V.)

Most-favored-nation treatment is further pledged with regard to:

(a) Duties payable by Portuguese citizens in Zanzibar on exports, imports, tonnage, license, and imposts of any other kind. (Arts. III and V.)

(b) Dues or imposts payable by vessels of Zanzibar in any Portuguese harbors. (Art. IX.)

(c) All rights, liberties, privileges, immunities, and exemptions to be accorded by either country to consular officers of the other. (Arts. X and XV.)

II. Other provisions.

(a) Right of Portuguese subjects to enter all harbors of Zanzibar with cargoes of any kind, and to trade there freely in any articles of commerce (except gun powder, ammunition, and articles of war) on conditions and at prices as the parties think best. (Art. II.)

(b) Portuguese vessels entering harbors of Zanzibar not to pay more than 5 per cent duty on cargoes landed (which includes all duties of import, export, tonnage, permission, pilotage, and all other taxes whatsoever), subject to additions or reductions applying to other treaty nations. (Art. III.)

(c) The Sultan of Zanzibar binds himself not to allow establishment of any monopoly or trade privilege in his dominions, unless in

such articles as ivory and gum copal on the east coast of Africa within regions defined. (Art. IV.)

(d) Assistance and protection for each other's vessels seeking refuge from damage or shipwreck. (Art. VI.)

(e) Portuguese subjects may reside in harbors of Zanzibar, and may buy, sell, and lease lands and houses; their dwellings, shops, and other properties not to be entered without permission of Portuguese consul. (Art. VII.)

(f) Subjects of Zanzibar may reside and trade in all harbors of the dominions of Portugal, with complete protection for persons and property. (Art. IX.)

(g) Portuguese consuls to receive property left by their nationals dying in Zanzibar to remit same to heirs, after paying debts due to subjects of Zanzibar. (Art. XI.)

(h) Zanzibar authorities not to interfere in disputes between Portuguese subjects, or between Portuguese and subjects of other Christian nations. Disputes between Portuguese and subjects of Zanzibar to be judged by authorities of the defendant's nation, but in no case without knowledge or presence of the Portuguese consul, or his representative. (Art. XII.)

(i) Detailed provisions relating to piracy (Art. VIII), bankruptcy (Art. XIII), collection of debts (Art. XIV), suppression of slavery (Art. XVI), and religious freedom in either country for subjects of the other (Art. XVII).

BULGARIA.⁸²

Treaties with Austria to British Empire.

Treaties of Bulgaria with the following countries have been previously dealt with in this volume under:

Austria, No. 64.

Belgium, No. 94.

Great Britain (under British Empire), No. 142.

Treaty with the Allied and Associated Powers.

No. 210.

Treaty of peace between Bulgaria and the Allied and Associated Powers.

SIGNED ⁸³ 27 Nov., 1919, at Neuilly. Effective from 9 Aug., 1920. Duration indefinite, but various time limits are placed on operation of specified articles of the treaty.

CONTRACTING STATES: The following States have ratified the treaty: Belgium, British Empire, Bulgaria, Czechoslovakia, France, Greece, Italy, Rumania, Serb-Croat-Slovene State, and Siam.

TEXT: English, U. S. 67th Cong., 1st sess., S. Doc. No. 7: 47-162; G. B. T. S. 1920, No. 5, Cmd. 522.

I. Most-favored-nation treatment is unconditionally pledged by Bulgaria to all Allied and Associated States (for limited periods noted below under III *a-c*) in respect to:

(*a*) IMPORTATION, EXPORTATION, TRANSIT.—Every favor, immunity, or privilege granted by Bulgaria in regard to importation, exportation, or transit of goods. (Art. 150.)

(*b*) IMPORTATION.—All duties or charges (including internal charges), and all prohibitions or restrictions imposed on importation into Bulgarian territory of products of any Allied or Associated State, from whatever place arriving. (Art. 147.) No discrimina-

⁸² For detailed stipulations in Bulgaria's treaty of peace of 27 Nov., 1919, with the Allied and Associated Powers concerning her treaty relations after the World War, see Arts. 162-75 of that treaty, noted in this volume under No. 210, VIII, *k-p*. Treaties of Bulgaria with the Allied and Associated Powers not now in force have been included in this volume to show the character and extent of its commercial treaty relations before the World War.

⁸³ Signed by the following Powers: America, United States of, British Empire, France, Italy, and Japan (these Powers being described in the treaty as the Principal Allied and Associated Powers); Belgium, China, Cuba, Czechoslovakia, Greece, Hedjaz, Poland, Portugal, Rumania, Serb-Croat-Slovene State, and Siam (these Powers constituting, with the Principal Powers mentioned above, the Allied and Associated Powers); and Bulgaria.

tion to be made, on importation, against the commerce of any Allied and Associated State, even by indirect means, such as customs regulations and procedure, methods of verification or analysis, conditions of payment of duties, tariff classification or interpretation, or the operation of monopolies. (Art. 148.) Until 9 Aug., 1921, the duties imposed by Bulgaria on imports from Allied and Associated States shall not be higher than the most favorable duties applied to imports into Bulgaria on 28 July, 1914. (Art. 151.)

(c) EXPORTATION.—All duties or charges (including internal charges) in all that concerns exportation of Bulgarian products to any Allied and Associated State; and any prohibitions or restrictions on exportation of any goods sent from Bulgarian territory to any such State. (Art. 149.)

(d) FISHING, COASTING TRADE, TOWAGE.—Treatment of vessels of Allied and Associated Powers in Bulgarian territorial waters, as regards sea fishing, maritime coasting trade, and maritime towage. (Art. 152.)

(e) TRADE AND INDUSTRY.—Any prohibitions, regulations, or restrictions in regard to occupations, professions, trade, and industry. (Art. 156 *a-b*.)

(f) AIRCRAFT.—Treatment of aircraft of Allied and Associated Powers as regards internal commercial air traffic in Bulgaria. (Art. 209.)

II. Most-favored-nation treatment is pledged by Bulgaria to the Principal Allied and Associated Powers, as regards the immunities and privileges of foreigners, and the rights of jurisdiction and of consular protection enjoyed by the Allied and Associated Powers in Bulgaria by virtue of the capitulations, usages, and treaties, pending conclusion of special conventions on the subject between Bulgaria and the Allied and Associated Powers. (Art. 175.)

III. Time limits.—The provisions stipulating most-favored-nation treatment (noted above under I *a-f*) are subject to the following limitations of time:

(a) Obligations imposed on Bulgaria by Articles 147 to 152 (noted above under I *a-d*) shall cease to have effect after 9 Aug., 1925, unless the council of the League of Nations decides before 9 Aug., 1924, that these obligations shall be maintained for a further period with or without amendment. (Art. 160.)

(b) Article 156 (noted above under I *e*) may be kept in operation after 9 Aug., 1925, with or without amendment, for a further period not exceeding five years, by a majority of the council of the League of Nations. (Art. 160.)

(c) Article 209 (noted above under I *f*) remains in force until 1 Jan., 1923, subject to contingency noted below under VII *b*. (Art. 211.)

IV. National and most-favored-nation treatment is unconditionally pledged by Bulgaria to all the Allied and Associated Powers (subject to exceptions and limitations noted below under V), in respect of the following matters:

(a) **PORTS, WATERWAYS, AND RAILWAYS.**—Transit through Bulgarian territories, by rail, waterway, or canal, of persons, goods, vessels, carriages, wagons, and mails coming from or going to any Allied and Associated State, whether contiguous or not. Such persons, goods, vessels, etc., shall not be subjected to any transit duty or to any delays or restrictions, and shall be entitled in Bulgaria to national treatment as regards charges, facilities, and all other matters. Goods in transit to be exempt from all customs or other similar duties. All transport charges to be reasonable, and no charge, facility, or restriction shall depend on ownership or nationality of the ship or other means of transport employed for any part of the through journey. (Art. 212.)

(b) **TAXES, CHARGES, PROHIBITIONS.**—Bulgaria undertakes to make no discrimination or preference, direct or indirect, in the duties, charges, and prohibitions relating to importations into or exportations from her territories, or (subject to special arrangements contained in this treaty) in the charges and conditions of transport of goods or persons entering or leaving her territories, based on nationality of ports or means of transport employed, or on any of the other grounds or reasons detailed. Bulgaria particularly undertakes not to establish against the ports and vessels of any Allied or Associated Power any surtax or any direct or indirect bounty for export or import by Bulgarian ports or ships, or by those of another power, for example, by means of combined tariffs. (Art. 214.)

(c) **TRANSIT TRAFFIC.**—Transportation of goods in transit from or to territories of Allied and Associated Powers, as regards rapidity of carriage and care en route, with special reference to perishable goods and customs formalities relating thereto. (Art. 215.)

(d) **SEAPORTS.**—Treatment of seaports of Allied and Associated Powers as regards all favors and reduced tariffs granted on Bulgarian railways or navigable waterways for the benefit of any Bulgarian or other port. (Art. 216.)

(e) **TELEGRAPHS, TELEPHONES.**—Freedom of transit for telegraphic correspondence and telephonic communication coming from or going to any Allied Power, whether neighbor or not, over lines most suitable for international transit, and without unnecessary delay or restriction. No payment, facility, or restriction shall depend directly or indirectly on nationality of transmitter or addressee. (Art. 217.)

(f) **NAVIGATION.**—Treatment of vessels and property of nationals of the Allied and Associated Powers in ports and on inland naviga-

tion routes in Bulgaria, in all respects, including transport of goods and passengers without unnecessary impediment to or from any ports or places in Bulgarian territory to which Bulgarian vessels may have access, with special reference to port and harbor facilities and charges of every description, no matter by whom or how levied. (Art. 218.)

(g) **INTERNATIONAL WATERWAYS.**—Equal treatment of the property and flags of all powers on the Bulgarian waterways declared to be international, with special reference to the Danube. (Arts. 219, 220, and 223.) The detailed régime concerning international waterways set out in Articles 220 and 222 to 226 shall be superseded by a general convention (to which Bulgaria undertakes to adhere in advance) drawn up by the Allied and Associated Powers and approved by the League of Nations. (Art. 227.)

(h) **INTERNATIONAL TRANSPORT.**—Treatment on Bulgarian railways of goods coming from territories of the Allied and Associated Powers and going to Bulgaria, or in transit through Bulgaria from or to said territories, as regards charges, facilities, and all other matters, with special reference to conditions of transport and length of route. (Art. 236.)

(i) **USE OF RAILWAYS.**—Railway tariffs (including drawbacks and rebates) applicable under the same conditions of speed and comfort to transportation of emigrants going to or coming from ports of Allied and Associated Powers and using the Bulgarian railways. Bulgaria must cooperate in establishment of through ticket services (for passengers and their luggage) required by any of said powers to insure their communication by rail with each other and with all other countries by transit through Bulgaria, and must accept trains and carriages coming from territories of said powers. (Art. 238.)

V. Exceptions and limitations.—The stipulations in Articles 212 to 218, 221, 236, and 238 to 240 (including those noted above under IV *a-f* and *h-i*) are subject to revision by the council of the League of Nations at any time after 9 Aug., 1923. Failing such revision, no Allied or Associated Power can thereafter (unless this three-year period is prolonged by said council) claim the benefit of any of those stipulations for any portion of its territories in which reciprocity is not accorded in respect of such stipulations. (Art. 247.)

VI. National treatment is pledged by Bulgaria to all the Allied and Associated Powers (subject to exceptions and limitations, as noted below under VII *a-c*), in respect to the following matters:

(a) **AERIAL NAVIGATION.**—Treatment of aircraft of Allied and Associated Powers when passing over or landing in Bulgarian territory or territorial waters, as regards all privileges accorded to Bulgarian aircraft, particularly in case of distress by land or sea (Art.

204), including any regulations which Bulgaria may make with reference to rights of passage, transit and landing. (Arts. 205 and 207.)

(b) **AERODROMES.**—Use of aerodromes in Bulgaria by aircraft of the Allied and Associated Powers, with special reference to charges of every description, including charges for landing and accommodation. (Art. 206.)

(c) **CERTIFICATES AND LICENSES.**—Recognition of certificates of nationality, airworthiness or competency, and of licenses issued or recognized as valid by any of the Allied and Associated Powers. (Art. 208.)

(d) **TRANSIT CHARGES, FACILITIES, ETC.**—Treatment of persons, goods, vessels, carriages, wagons, and mails when passing through Bulgarian territory or territorial waters, and from or to territories of any of the Allied and Associated Powers (whether contiguous or not), as regards charges, facilities, and all other matters. (Art. 212.)

(e) **RAILWAYS.**—Treatment of rolling stock of Allied and Associated Powers on Bulgarian railway lines, as regards movement, upkeep, and repairs. (Art. 241.)

(f) **PROPERTY RIGHTS.**—Any measures in derogation of property rights affecting the property rights or interests restored to nationals of Allied and Associated Powers under Article 177 of this treaty, including companies and associations in which they are interested. (Art. 178 b.)

(g) **RESTRICTIONS.**—Any restriction which was not applicable to nationals of the Allied and Associated Powers on 1 July, 1914. (Art. 156 d.)

VII. Exceptions and limitations.

(a) Article 156 (noted above under VI g) may be kept in operation after 9 Aug., 1925, with or without amendment, for a further period not exceeding five years, by a majority of the council of the League of Nations. (Art. 160.)

(b) Provisions of Articles 204 to 208 (noted above under VI a-c) remain in force until 1 Jan., 1923, unless before that date Bulgaria is admitted into the League of Nations, or authorized by the Allied and Associated Powers to adhere to the convention concluded between said powers relative to aerial navigation. (Art. 211.)

(c) Article 212 (noted above under VI d) is subject to revision by the council of the League of Nations at any time after 9 Aug., 1923. Failing such revision, no Allied or Associated Power can thereafter (unless this three-year period is prolonged by said council) claim the benefit of this stipulation for any portion of its territories in which reciprocity is not accorded in respect thereof. (Art. 247.)

VIII. Other provisions.

(a) **INDUSTRIAL PROPERTY.**—Bulgaria undertakes to protect the industrial, literary, and artistic property of nationals of the Allied and Associated States by effective legislation before 9 Aug., 1921, and meantime to continue recognition and protection of such property to an extent at least as great as on 28 July, 1914. (Art. 166.)

(b) **UNFAIR COMPETITION.**—Bulgaria undertakes to adopt all necessary legislative and administrative measures to protect products of any Allied and Associated Power from all forms of unfair competition in commercial transactions; and undertakes to prohibit and repress by seizure and other appropriate remedies the importation, exportation, manufacture, distribution, or sale in its territory of all goods bearing marks or descriptions calculated to convey a false indication of origin, type, nature, or special characteristic of such goods. (Art. 154.)

(c) **REGIONAL APPELLATIONS.**—Bulgaria undertakes (on condition of reciprocity) to respect laws and decisions of Allied and Associated States duly communicated to her by proper authorities, defining or regulating the right to regional appellations for wines or spirits produced in the State to which the region belongs; and to prohibit and repress by seizure and other appropriate remedies the importation, exportation, manufacture, distribution, or sale of articles bearing regional appellations inconsistent with such law or order. (Art. 155.)

(d) **CONSULAR OFFICERS.**—Bulgaria undertakes to approve consular officers which Allied and Associated Powers may appoint, and to admit them to the exercise of their functions in conformity with the usual rules and customs. (Art. 159.)

(e) **GOVERNMENT TRADING.**—If the Bulgarian Government engages in international trade, it shall not in respect thereof have any rights, privileges, or immunities of sovereignty. (Art. 161.)

(f) **AERIAL NAVIGATION.**—Bulgarian aircraft flying over her territory must comply with the rules for air traffic in the neighborhood of aerodromes, as laid down in the convention concluded between the Allied and Associated Powers; with special reference to lights, signals, and rules of the air. (Art. 210.)

(g) **TRANSMIGRATION.**—Bulgaria undertakes not to exercise any control over transmigration traffic through her territories beyond measures necessary to insure that passengers are bona fide in transit; nor to allow any shipping company or other private corporation or person interested in the traffic to take part in or exercise influence over any administrative service that may be necessary for this purpose. (Art. 213.)

(h) **PECUNIARY CLAIMS.**—Bulgaria undertakes not to put forward directly or indirectly against any power signatory of this treaty

any pecuniary claim based on events which occurred at any time before 9 Aug., 1920; all claims of this nature are extinguished after that date, whoever may be the parties in interest. (Art. 295).

(i) PRIZE COURTS.—Bulgaria accepts as valid and binding specified decrees and orders made by any prize court of the Allied and Associated Powers, and waives all claims arising therefrom on behalf of any Bulgarian national. Said powers reserve the right to examine in their own way all decisions and orders of Bulgarian prize courts. Bulgaria agrees to furnish copies of all documents constituting the record of the case, and to give effect to recommendations made after such examination. (Art. 296.)

(j) PROTECTION OF MINORITIES.—Bulgaria undertakes to assure full and complete protection of life and liberty to all inhabitants of Bulgaria, without distinction of birth, nationality, language, race, or religion. (Art. 50.) Differences of religion, creed, or confession shall not prejudice any Bulgarian national in matters relating to civil or political rights, as for instance admission to public employments, functions, and honors, or exercise of professions or industries. (Arts. 53 and 57.) These stipulations are recognized as fundamental laws and placed under the guarantee of the League of Nations. (Art. 57.) No Bulgarian law, regulation, or official action shall conflict or interfere with the same or prevail over them. (Art. 49.)

(k) TREATIES.—Enumeration of multilateral treaties, conventions, and agreements to be applied, after 9 Aug., 1920, and subject to provisions of this treaty, as between Bulgaria and those of the Allied and Associated Powers party thereto (Arts. 162-4); and of specified conventions to which Bulgaria undertakes to adhere (Arts. 166-7).

(l) Each of the Allied and Associated Powers must, before 9 Feb., 1921, notify to Bulgaria the bilateral agreements of all kinds which such power wishes to revive with Bulgaria; all not thus notified are and remain abrogated. This applies even to those of the Allied and Associated Powers who were not in a state of war with Bulgaria. (Art. 168.)

(m) All treaties, conventions, etc., made by Bulgaria with Germany, Austria, Hungary, or Turkey between 1 Aug., 1914, and 9 Aug., 1920, are and remain abrogated. (Art. 169.)

(n) All treaties, conventions, etc., concluded by Bulgaria before 9 Aug., 1920, with Russia, or with any Government of which the territory previously formed part of Russia; or concluded with Roumania between 15 Aug., 1916, and 9 Aug., 1920, are and remain abrogated. (Art. 171.)

(o) All treaties, agreements, arrangements, and contracts concluded by Bulgaria with Morocco or Egypt are abrogated, as from 11 Oct., 1915. (Arts. 62-3.)

(p) Bulgaria undertakes to adhere to any general conventions regarding international régime of transit, waterways, ports, or railways which may be concluded by the Allied and Associated Powers, with approval of the League of Nations, before 9 Aug., 1925. (Art. 248.)

(q) Extensive provisions concerning rights of industrial, literary, and artistic property. (Arts. 190-95.)

Further extensive and detailed provisions relate to the following matters:

(r) Political clauses, with special reference to neighboring States. (Arts. 36-63.)

(s) Military, naval, and air clauses. (Arts. 64-104.)

(t) Prisoners of war, and graves. (Arts. 105-17.)

(u) Penalties (Arts. 118-120) and reparation (Arts. 121-31).

(v) Financial clauses. (Arts. 132-146.)

(w) Ports, waterways, and railways. (Arts. 212-47.)

(x) Covenant of the League of Nations.⁸⁴ (Arts. 1-26.)

(y) Articles relating to labor.⁸⁵ (Arts. 249-89.)

(z) Miscellaneous provisions. (Arts. 290-95.)

Treaty with Germany.

No. 211.

Treaty of commerce, customs, and navigation between Bulgaria and Germany.

SIGNED 1 Aug., 1905, at Berlin. Effective from 14 Jan., 1906, until 28 Feb., 1911. Extended by notes of 29 Sept., 1911,⁸⁶ until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. XXIII.)

TEXT: German, Hdv. 1906: 1216-59; French, B. F. S. P. 98: 703-16.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms by either country to products of the other respecting any favor or immunity which either may concede to the products of any third Power (Art. VII); except as noted below.

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment of citizens of either country exercising the following professions in the other: Village innkeepers, druggists, brokers, peddlers, and other itinerant tradesmen. (Art. III.)

(b) Rights which stock companies and other commercial, industrial, and financial associations of either country may exercise in the other. (Art. III.)

(c) Any favors, privileges, or tariff reductions concerning importation or exportation of products of either country, and matters

⁸⁴ See No. 506.

⁸⁵ See No. 507.

⁸⁶ German, Hdv. 1915: 6-7.

relating to transit, reexportation, warehousing, local dues, and customs formalities; with special reference to amount, guaranty, and collection of import and export duties. (Art. VII.)

(d) Treatment of products of either country imported into the other, whether destined for consumption, warehousing, reexportation, or transit; with special reference to payment of duties. (Art. VIII.)

(e) Export duties imposed by either country on exportation of any objects to the other, and any favors regarding exportation. (Art. IX.)

(f) Any favors or privileges which either country may accord in respect of its coasting trade, on condition of reciprocity. (Art. XIV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in general terms respecting all privileges, immunities, and other favors which either country may grant in matters of commerce and industry; except as noted under V b below, and subject to laws and regulations concerning police of commerce, industry, customs, and ports. (Art. I and final protocol.)

National or most-favored-nation treatment (optional) is further reciprocally pledged in regard to:

(a) All duties, taxes, imposts, or licenses concerning exercise of commerce and industry in either country (Art. I); except as noted under V b below.

(b) All rights and immunities regarding access to courts of justice in either country. (Art. II.)

(c) Any special tax payable in either country by merchants, manufacturers, or commercial travelers from the other. (Art. IV.)

(d) Exceptional charges and military contributions or requisitions incumbent on possession of landed property in either country. (Art. V and final protocol.)

(e) Internal duties levied in either country on production or consumption, whether imposed by the State, or by communes or corporations. Such duties must not bear more heavily on imported products of the other country than on similar articles of domestic or other foreign production. (Art. XIII.)

(f) Treatment by either country of vessels of the other and their cargoes, from whatever place arriving and whatever their destination, and whatever the place of origin or destination of the cargoes (Art. XIV, and final protocol); except as noted under V c below.

(g) Treatment by either country of vessels and merchandise of the other, in all respects; with special reference to payment of remuneratory taxes or dues in ports, basins, docks, roadsteads, and harbors of either country. (Art. XIX.)

(h) Any additional or accessory taxes payable in Bulgaria by German ships or merchandise, whether imported by water or by land. (Final protocol, Art. XIV.)

III. National treatment is reciprocally pledged in regard to:

(a) Right to acquire, possess, or alienate every description of property, movable or immovable, and all taxes, imposts, or charges of any kind relating thereto. (Art. II.)

(b) Treatment of citizens of either country proceeding to fairs or markets in the other, to exercise their commerce or sell their products, and payment of taxes relating thereto. (Art. IV.)

(c) Any dues payable by vessels of either country in ports of the other on cargo not discharged at that port. (Art. XVI.)

(d) All favors and immunities granted by laws of either country to stranded or shipwrecked vessels and their cargoes; with special reference to payment of salvage expenses. (Art. XVIII.)

IV. Other provisions.

(a) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise, and must be provided with a legitimization certificate in the form prescribed. (Art. IV, final protocol, and Annex A.)

(b) Citizens of either country are exempt in the other from all military services and contributions, and from obligation to accept judicial, administrative, or municipal functions; except as noted under II d above. (Art. V and final protocol.)

(c) Neither country to obstruct commerce with the other by prohibitions against importation, exportation, or transit; except for the following reasons applying to all countries under similar conditions:

(1) Provisions of war in exceptional circumstances.

(2) Considerations of public safety.

(3) Measures of sanitary police, or to protect animals and useful plants from disease, insects, or noxious parasites.

(4) Application to foreign merchandise of prohibitions or restrictions imposed by internal laws on production, sale, or domestic distribution of similar articles of national production. (Art. VI and final protocol.)

(d) Products of either country enumerated in Tariffs B and C annexed to this treaty, when imported into the other, shall not pay other or higher duties than those specified in these tariffs. (Art. VIII, final protocol, Annexes B and C.)

(e) Merchandise of any kind passing through either country to or from the other is reciprocally exempt from all transit duties, whether going straight through, or unloaded, stored, and reloaded. (Art. X.)

(*f*) Certificates of origin may be required by either country, under conditions stated. (Art. XI.)

(*g*) Certain specified articles are exempt from all import and export duties in either country, under conditions stated. (Art. XII.)

(*h*) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage; but coasting trade is excepted. (Art. XIV.)

(*i*) Nationality of vessels to be recognized in accordance with ships' papers issued by the competent authorities under laws of each country. (Art. XV and final protocol.)

(*j*) Ships of either country are exempt from tonnage and clearance dues in the other, under conditions stated. (Art. XVII.)

(*k*) Arbitration of disputes concerning interpretation or application of tariffs B and C annexed to this treaty, or concerning rates of conventional tariffs of either country, and statement of procedure relating thereto. (Art. XXII and final protocol.)

V. Exceptions.

(*a*) Provisions of this treaty do not apply to the coasting trade (except as noted under I *e* above), which is reserved for regulation by laws of each country. (Art. XIV.)

(*b*) The national treatment provisions of Art. I (noted under II and II *a* above) do not apply to druggists, brokers, village innkeepers, peddlers, and other itinerant tradesmen. (Art. I.)

(*c*) Most-favored-nation provisions of Art. VII (noted under I *c* above) do not apply to:

(1) Favors which either country may accord to bordering States to facilitate local traffic in frontier districts within 15 kilometers of the boundary line.

(2) Obligations which may be imposed upon either country by virtue of a customs union. (Art. VII.)

(*d*) The provisions of Art. XIV (noted under II *f* above) do not apply to:

(1) Special advantages which either country may concede to its national fisheries.

(2) Subsidies or guaranties which either country may accord to its merchant marine. (Art. XIV and final protocol.)

VI. Territorial application.—This treaty extends to any countries or territories which may be united with either party in a customs union. (Art. XXI.)

Treaty with Great Britain.

See No. 142.

Treaty with Italy.

No. 212.

Treaty of commerce, customs, and navigation between Bulgaria and Italy.

SIGNED 13 Jan., 1906, at Sofia. Effective from 14 Jan., 1906, until 28 Feb., 1911, and thereafter until terminated by one year's notice from either party. (Art. XXI.)

TEXT: French, B. F. S. P. 99:899-913; G. U. 15 Nov., 1906, No. 266; Boll Leg. Dog. 23:2283-2308; Italy Tr. 1911, I:143-61.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any favor, privilege, or immunity which either country may accord to any third power in matters relating to exercise of commerce, navigation, and industry; such as duties (amount, guaranty, and collection) on importation and exportation, and matters relating to transit, warehousing, local dues, customs, and other formalities, transshipment of merchandise, and transportation on railways. (Art. IV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment of citizens of either country engaged in the following professions in the other: Village innkeepers, pharmacists, brokers, peddlers, and other itinerant tradesmen. (Art. III.)

(b) Exceptional prohibitions which either country may impose on importation, exportation, or transit (Art. IV), as noted below under IV b.

(c) Treatment by either country of products of the other, whether imported for consumption, warehousing, reexportation, or transit with special reference to payment of duties. (Art. V.)

(d) Any favor accorded by either country with regard to exportation, with special reference to export duties imposed by either country on exportation of any objects to the other. (Art. V.)

(e) Rights which commercial, industrial, and financial companies and associations of either country may exercise in the other. (Art. VIII.)

(f) Treatment of Italian subjects in Bulgaria with reference to judicial procedure in civil cases. (Decl. A.)

(g) Treatment of Italian products with regard to any favor which Bulgaria may accord in matters relating to customs procedure, as regards packing of merchandise and deduction of tares. (Procès-verbal of 13 Nov., 1908.⁸⁷)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in general terms respecting any privileges, im-

⁸⁷ English, B. F. S. P. 102:387-8

munities, or other favors in matters of commerce and industry. (Art. I.)

National or most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All taxes, imposts, or fees of any kind payable by subjects of either country on their commerce or industry in any part of the other. (Art. I.)

(b) Military and other charges, contributions, or requisitions incumbent on possession of landed property in either country. (Art. II.)

(c) Right of subjects of either country to exercise any lawful commerce or industry in the other, personally or by agents, singly or jointly, with nationals or other foreigners; except that of village innkeepers, pharmacists, brokers, peddlers, and other itinerant tradesmen. (Art. III.)

(d) Application of special laws and regulations concerning commerce and industry in either country to citizens of the other. (Art. III.)

(e) All rights and immunities concerning access to courts of justice in either country. (Art. III.)

(f) Internal duties on production or consumption, whether levied by the State, by communes, or corporations in either country. Such duties must not bear more heavily on imported products of the other country than on similar articles of native or other foreign production. (Art. VI.)

(g) Any special tax payable by merchants, manufacturers, or their commercial travelers of either country making purchases or soliciting orders in the other. (Art. VII.)

(h) Treatment of vessels of either country and their cargoes in ports of the other, in every respect, from whatever place arriving and whatever the place of origin or destination of the cargoes; with special reference to duties, taxes, or charges of any kind, whether affecting the hull of the ship or its flag or cargo, and no matter by whom or how levied in either country. (Art. X.)

(i) Any privilege or favor which either country may accord in matters concerning the placing, loading, or unloading of vessels in ports, rivers, canals, or other waters of either country, including all formalities and arrangements affecting merchant vessels and their crews or cargoes. (Art. XII.)

(j) Treatment of Italian vessels and merchandise (whether imported by land or sea), respecting payment of specified additional duties or accessory taxes. (Final protocol, Arts. X-XVI.)

(k) Treatment by either country of citizens of the other with regard to commerce in animals, or in hides, and other raw animal prod-

ucts, with special reference to obligations, rights, favors, or exemptions relating thereto. (Decl. E.)

III. National treatment is reciprocally pledged in regard to:

(a) Treatment of subjects of either country proceeding to markets or fairs in the other to ply their trades or sell their products, with special reference to payment of taxes. (Art. VII.)

(b) Exemption of vessels of either country in ports of the other from payment of dues on cargo not discharged at that port. (Art. XIII.)

(c) All favors and immunities granted by law in either country to stranded or shipwrecked vessels and their cargoes, with special reference to payment of salvage expenses. (Art. XVI.)

(d) Protection of citizens of either country in the other with regard to all matters concerning protection of trade-marks, subject to fulfilling formalities prescribed by law. (Art. XVII.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from all forced loans and other extraordinary contributions of any kind, from quartering of troops, and from obligation to accept judicial, administrative, or municipal office, except military charges and requisitions incumbent on possession of landed property in either country. (Art. II.)

(b) Neither country to obstruct its commerce with the other by prohibitions against importation, exportation, or transit, except for the following reasons applying to all other countries under the same conditions:

(1) Provisions of war in exceptional circumstances.

(2) Consideration of public security.

(3) Sanitary measures, or to protect animals and useful plants from disease, noxious insects, and parasites.

(4) Application to imported merchandise of internal laws prohibiting or restricting domestic production, sale, or transportation of similar articles of national production. (Art. IV.)

(c) Products of Italy enumerated in tariff B annexed to this treaty shall not pay on importation into Bulgaria other or higher duties than specified in this tariff. (Arts. V, VI.)

(d) Products of either country are exempt in the other from all internal duties when imported for warehousing or transit. (Art. VI.)

(e) Merchants, manufacturers, and their commercial travelers of either country may make purchases and solicit orders in the other, with or without samples; but may not ply itinerant trades, nor solicit

orders from persons not engaged in commerce or industry. (Art. VII and final protocol.)

(f) Exemption of commercial travelers' samples from import and export duties in either country, subject to customs regulations relating thereto. (Art. VII and Annex A.)

(g) Merchandise of any kind passing to or from either country is exempt in the other from all transit duties, whether going straight through, or unloaded, stored, and reloaded. (Art. IX.)

(h) Nationality of vessels to be recognized in accordance with ships' papers issued by the competent authorities under laws of each country. (Art. XI.)

(i) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage. (Art. XIII.) But coasting trade is excepted. (Art. XIV.)

(j) Exemption of vessels from all tonnage and clearance duties (except sanitary dues) in either country, under conditions stated. (Art. XV.)

(k) Merchandise salvaged in either country from ships of the other is exempt from all customs duties, unless released for domestic consumption. (Art. XVI.)

(l) Arbitration of disputes concerning interpretation or application of this treaty, and of questions concerning exercise of commerce between the two countries. Statement of procedure relating thereto. (Art. XX and final protocol.)

(m) Detailed regulations annexed to the treaty concerning:

- (1) Customs expedition of merchandise in Bulgaria. (Decl. B.)
- (2) Treatment of commercial samples in Bulgaria. (Decl. C.)
- (3) Indication of numbers or counts of threads and yarns imported into Bulgaria. (Decl. D.)

V. Exceptions.

(a) Stipulations of this treaty do not apply to:

(1) The coasting trade, which is reserved for regulation by the laws of each country. (Art. XIV.)

(2) Advantages which either country may accord to products of its national fisheries. (Art. XVIII.)

(b) Most-favored-nation provisions of this treaty do not apply to:

- (1) Special favors resulting from a customs union. (Art. XIX.)
- (2) Favors which either country may accord to other bordering States to facilitate frontier traffic. (Ibid.)

Treaty with Montenegro.**No. 213.**

Convention between Bulgaria and Montenegro granting most-favored-nation treatment in matters of commerce and navigation.

SIGNED 9 May, 1909, at Cetinje. Ratifications exchanged there 22 May, 1912. Terminable on 12 months' notice by either party. (Art. II.)

TEXT: French, B. F. S. P. 102: 374-5.

Most-favored-nation treatment is reciprocally pledged in general terms respecting establishment of nationals of either country in the other and all matters concerning commerce and navigation; with special reference to importation, exportation, transit, and whatever concerns customs duties, commercial operations, exercise of commerce and industry, and payment of taxes relating thereto. (Art. I.)

Treaty with the Netherlands.**No. 214.**

Exchange of notes between Bulgaria and the Netherlands continuing the arrangements regarding most-favored-nation treatment in matters of commerce.

SIGNED 13 Jan., 1906, at Constantinople. No time limit stated.

TEXT: French, B. F. S. P. 101: 258.

Most-favored-nation treatment, reciprocally pledged by the provisional commercial convention of 1897,⁸⁸ is indefinitely prolonged on the basis of recent and future treaties of Bulgaria with other nations; with special reference to customs duties to be levied in either country on products of the other, including colonial products from the Dutch colonies.

Treaty with Norway.**No. 215.**

Exchange of notes between Bulgaria and Norway granting reciprocal most-favored-nation treatment.

SIGNED 30 July, 1908, at Berlin. Effective from year to year, subject to termination on three months' notice by either party.

TEXT: French, B. F. S. P. 102: 725-6; Norwegian, Norway Tr. 1914: 43-4.

Most-favored-nation treatment is reciprocally pledged with reference to privileges to be accorded by either country to the subjects, merchandise, and ships of the other, pending conclusion of a convention of commerce and navigation between the two countries, except:

(a) Special concessions which Norway may grant to Sweden.

(b) Concessions which either country may grant to bordering States to facilitate frontier traffic.

⁸⁸ French, B. F. S. P. 89: 1153-4.

Treaty with Rumania.

No. 216.

Treaty of commerce and navigation between Bulgaria and Rumania.

SIGNED 3 Dec., 1907, at Bucharest. Ratifications exchanged there 27 Jan., 1908. Terminable on 12 months' notice by either party. (Art. XVII.)

TEXT: French, B. F. S. P. 101: 557-61; Martens 89: 176-82.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms by either country to products of the other respecting any favor or immunity which either may concede to the products of any third power (Art. V), except as noted below.

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Acquisition, possession, and disposal of, or succession to, property of all kinds in either country, by will or otherwise in any manner, so far as permitted to foreigners, and subject to laws concerning acquisition of immovable rural property in either country. (Art. II.)

(b) Any favors, privileges, or tariff reductions concerning importation or exportation of products of either country, and matters relating to transit, reexportation, warehousing, local dues, and customs formalities, with special reference to amount, guaranty, and collection of import and export duties. (Art. V.)

(c) Treatment of products of either country imported into the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of duties. (Art. VI.)

(d) Export duties imposed by either country on exportation of any objects to the other, and any favors regarding exportation. (Art. VIII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in general terms respecting all rights, privileges, immunities, favors, and exemptions relating to exercise of commerce and industry in either country, subject to the laws and special regulations applying to all foreigners in matters of establishment, commerce, industry, and police. (Art. I.)

National or most-favored-nation treatment (optional) is further reciprocally pledged in regard to:

(a) Internal duties levied in either country on production or consumption, whether imposed by the State or by communes or corporations. Such duties must not bear more heavily on imported products of the other country than on similar articles of domestic or other foreign production. (Art. X.)

(b) Treatment by either country of vessels of the other and their cargoes, from whatever place arriving and whatever their destination, except:

(1) Special advantages which either country may concede to its national fisheries.

(2) Favors which either country may accord to its merchant marine. (Art. XI.)

III. National treatment is reciprocally pledged in regard to:

(a) Payment of taxes, imposts, or charges of whatever kind relating to acquisition, possession, and disposal of, or succession to, property in either country, by will or otherwise, including duties on export of proceeds of property sold. (Art. II.)

(b) All rights and immunities concerning access to courts of justice in either country, with special reference to employment of advocates or other agents. (Art. II.)

(c) Military contributions and requisitions imposed by either country in peace or war, and right to indemnities established by laws of either country in favor of its nationals. (Art. III.)

(d) All dues for tonnage, port, pilotage, lighthouse, quarantine, and similar dues of whatever kind, no matter by whom or how levied in ports of either country on ships of the other, from whatever place arriving and whatever their destination. (Art. XIII.)

(e) Any dues payable by merchant ships of either country seeking refuge in ports of the other from damage or shipwreck. (Art. XV.)

(f) All favors and immunities granted by laws of either country to stranded or shipwrecked vessels and their cargoes, with special reference to payment of salvage expenses. (Art. XVI.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all military service by land or sea. (Art. III.)

(b) Neither country to obstruct commerce with the other by prohibitions against importation, exportation, or transit, except for the following reasons applying to all countries under similar conditions:

(1) Provision of war in exceptional circumstances.

(2) Considerations of public safety.

(3) Measures of sanitary police, or to protect animals and useful plants from disease, insects, or noxious parasites.

(4) Application to foreign merchandise of prohibitions or restrictions imposed by internal laws on production, sale, or domestic distribution of similar articles of national production. (Art. VI and final protocol.)

(5) Products which are Government monopolies in either country. (Art. IV.)

(c) Merchandise of any kind passing through either country by a commercial route open to transit is reciprocally exempt from all

transit duties, whether passing straight through, or unloaded, stored, and reloaded. (Art. VII.)

(d) Products of either country are exempt in the other from all internal duties when destined for warehousing or transit. (Art. X.)

(e) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage; but coasting trade is excepted. (Art. XI.)

(f) Ships of either country are exempt from tonnage and clearance dues in the other, under conditions stated. (Art. XIV.)

V. Exceptions.

(a) The provisions of this treaty do not apply to the maritime coasting trade, which is reserved for regulation by laws of each country. (Art. XI.)

(b) Most-favored-nation provisions of Article V (noted under I and I b above) do not apply to:

(1) Favors which either country may accord to bordering States to facilitate local traffic in frontier districts within 15 kilometers of the boundary line. (Art. VII.)

(2) Obligations which may be imposed upon either country by virtue of a customs union. (Ibid.)

Treaty with Russia.

No. 217.

Treaty of commerce and navigation between Bulgaria and Russia.

SIGNED 8 Mar., 1905, at St. Petersburg. Ratifications exchanged there 29 Jan., 1906. Effective until 14 Mar., 1910, and thereafter until terminated by 12 months' notice from either party. (Art. XIX.)

TEXT: French, Martens 87:226-33; English (transl.), B. F. S. P. 100:817-24.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) with regard to all rights, advantages, privileges, and bounties which either country may confer on the subjects of any other nation, in all respects; with special reference to any diminution of import duties granted in favor of any third power; subject to the laws and regulations relating to trade and industry and applying to all foreigners in either country. (Arts. I and VI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Acquisition, possession, and disposal of, or succession to movable or immovable property of any kind, by will or otherwise, in any lawful manner. (Art. II.)

(b) Rights which commercial, industrial, or financial companies and associations of either country may exercise in the other. (Art IV.)

(c) Treatment by either country of products of the other, whether imported for consumption, warehousing, or transit delivery; with special reference to payment of dues, rates, direct or indirect taxes, and additional duties or prohibition on importation. (Art. VI.)

(d) Export duties imposed by either country on products exported to the other, and any bounties regarding exportation. (Art. VIII.)

(e) Treatment by either country of merchants, manufacturers, traders, or commercial travelers of the other in respect of passports and payment of trade dues. (Art. XI.)

II. National or most-favored-nation treatment (optional), is reciprocally pledged in regard to:

(a) Quartering of troops, and other military requisitions incumbent on possession of landed property in either country. (Art. III.)

(b) All rights, privileges, and bounties concerning treatment by either country of ships of the other and their cargoes, from whatever place arriving and whatever their destination, and whatever the origin or destination of the cargoes (Art. XII); except:

(1) Special privileges which either country may accord to native fisheries and to products of fisheries. (Ibid., a.)

(2) Bounties which either country may accord to native commercial shipping. (Ibid., b.)

(3) The coasting trade of both countries, as distinguished from port to port trade. (Ibid.)

(c) Payment of remuneratory port dues levied on ships for services rendered; with special reference to dues for light, pilotage, towage, and quarantine dues, and arrangements made by either country to facilitate navigation. (Art. XV.)

III. National treatment is reciprocally pledged in regard to:

(a) Right of subjects of either country to carry on trade and industry in the other, and payment of dues relating thereto; subject to the laws and regulations relating to trade and industry and applying to all foreigners in either country. (Art. I.)

(b) Payment of taxes, imposts, or charges of whatever kind relating to acquisition, possession, and disposal of, or succession to, property in either country, by will or otherwise; including duties on export of proceeds of property sold. (Art. II.)

(c) All rights and privileges concerning access to courts of justice in either country, with special reference to employment of advocates or other agents. (Art. II.)

(*d*) Internal duties levied in either country on production or consumption, whether in favor of the State or of societies or corporations. Such duties must not bear more heavily on imported products of the other country than on corresponding indigenous products. (Art. VII.)

(*e*) Treatment of citizens of either country attending markets in the other to carry on trade and to sell their products, with special reference to payment of dues. (Art. XI.)

(*f*) Exemption of vessels of either country in ports of the other from payment of dues on cargo not discharged at that port. (Art. XIV.)

(*g*) All privileges and exemptions granted by law in either country to stranded or shipwrecked vessels and their cargoes. (Art. XVI.)

(*h*) Treatment in either country of citizens of the other making use of specified equipments and services established for public use; such as roads, canals, locks, bridges, weighbridges, ports, landings, signals, cranes, pilotage, warehouses, and facilities for salvaging vessels or cargoes, whether such services are administered by the State or by private parties; with special reference to conditions or taxes relating thereto. No tax to be collected unless the equipment or service was actually used, except for lighting and pilotage, which are subject to special regulations. (Art. XVII.)

(*i*) Use of railways of either country by citizens of the other; with special reference to rates, speed, and means of transport, except reduced rates in the interests of public utility or charity. (Art. XVIII.)

IV. Other provisions.

(*a*) Citizens of either country are exempt in the other from all compulsory official service, whether judicial, administrative, or municipal (except guardianship); from all personal military service by land or sea; and from all contributions, forced loans, and military requisitions or charges of any kind; except charges and requisitions incumbent on possession of landed property. (Art. III.)

(*b*) Both countries agree not to restrict mutual trade relations by any prohibition against importation or exportation, and to allow free transit by all routes open to transit; except that:

(1) Duties may be levied on objects of State monopoly in either country.

(2) Special prohibitions may be imposed on certain articles for reasons of veterinary police, and of public health and safety. (Art. V.)

(c) Merchandise of all kinds passing through either country by a commercial route open to transit is exempt from all transit duties, whether going straight through, or unloaded, stored, and reloaded. (Art. IX.)

(d) Ships of either country may load or discharge foreign cargo at different ports of the other on the same voyage; but coasting trade is excepted. (Art. XII.)

(e) Ships of either country are exempt from tonnage and clearance dues in the other, under conditions stated; except remuneratory dues for light, pilotage, towage, quarantine, and other dues for services rendered. (Art. XV.)

(f) Merchandise salvaged from ships of either country is exempt in the other from all customs duties, unless destined for consumption in the country. (Art. XVI.)

V. Exceptions.

(a) The provisions of this treaty do not apply to:

(1) The coasting trade, which is reserved for regulation by the laws of each country. (Art. XII.)

(2) Privileges resulting from a customs convention which either country may conclude with any third power. (Art. X, 1.)

(3) Privileges which either country may accord to bordering States to facilitate frontier traffic within 15 kilometers of the boundary line. (Ibid.)

(4) Privileges which may be accorded to residents in the province of Archangel with regard to importation or exportation or to residents on the north or east coasts of Siberia. (Ibid., 2.)

(b) Articles VI, VIII, and IX of this treaty do not affect:

(1) Special stipulations in the treaty of 8 May, 1838.^{88a} between Russia and Sweden and Norway. (Ibid.)

(2) Stipulations relating to trade with Asiatic powers and possessions bordering on Russia. (Ibid.)

Treaty with Spain.

No. 218.

Exchange of notes between Bulgaria and Spain granting most-favored-nation treatment in matters of commerce and navigation.

SIGNED 5 Oct., 1908, at Vienna. Effective from year to year, subject to termination on three months' notice by either party.

TEXT: Spanish, Martens 89:318-19; French, B. F. S. P. 101:921-2.

Most-favored-nation treatment is reciprocally assured in general terms by either country to the subjects, merchandise, and vessels of the other in all respects; except concessions which either country may grant to bordering States to facilitate frontier traffic.

^{88a} See No. 440.

Treaty with Sweden.**No. 219.**

Exchange of notes between Bulgaria and Sweden granting reciprocal most-favored-nation treatment.

SIGNED 10 May, 1906, at Constantinople. Effective from year to year, subject to termination on three months' notice by either party.

TEXT: French, B. F. S. P. 99: 913-14; Sweden Tr. 1910: 582.

Most-favored-nation treatment is reciprocally pledged by either country to the merchandise and navigation of the other; except:

- (a) The coasting trade of both countries.
- (b) Concessions which Sweden may grant to Norway exclusively.

Treaty with Switzerland.**No. 220.**

Exchange of notes between Bulgaria and Switzerland for provisional regulation of commercial relations.

SIGNED 17 Feb., 1906, at Vienna. Effective until conclusion of a commercial treaty.

TEXT: French, B. F. S. P. 100: 824-5.

Most-favored-nation treatment is reciprocally pledged with respect to matters of commerce and customs duties.

CANADA.

Treaties with France and West Indies.

Treaties of Canada have been previously dealt with in this volume under British Empire.

CHILE.

Treaties with Bolivia.

Treaties of Chile with Bolivia have been previously dealt with in this volume under Bolivia, Nos. 125 and 126.

Treaty with Denmark.

No. 221.

Treaty of commerce and navigation between Chile and Denmark.

SIGNED 4 Feb., 1899, at Berlin. Ratifications exchanged there 9 Apr., 1907. Additional article signed 30 Nov., 1905, at Santiago. Terminable on 12 months' notice from either party. (Art. III, addl. art., sec. 4.)

TEXT: Danish and Spanish, Martens 87: 291-4; Spanish, Chile Tr. 5: 45-50; English (transl.), B. F. S. P. 100: 832-3.

Most-favored-nation treatment is reciprocally pledged in respect to all favors, privileges, or immunities relating to commerce and navigation (Art. I); except:

(a) Special customs tariffs accorded by Chile exclusively to the produce of any other Central or South American State, including commercial exemptions of all kinds, also special concessions in matters of harbor, quay, and light dues, and exemptions from other imposts on navigation (Art. II, addl. art., sec. 1.)

(b) Laws and regulations governing the coasting trade in favor of national shipowners, Chile being free to extend these favors to shipowners of other Central or South American States, and Denmark to shipowners of other Scandinavian countries. (Addl. art., sec. 2.)

Treaty with Germany (Customs union).

No. 222.

Treaty of friendship, commerce, and navigation between Chile and the German Customs Union.

SIGNED 1 Feb., 1862, at Santiago. Effective from 31 July, 1863, until 31 Dec., 1865, and thereafter until terminated by 12 months' notice from either party. (Art. XIX.) On 27 Aug., 1895, Chile gave notice to terminate, as from 31 May, 1897, but before that date the treaty was renewed for an indefinite term, subject to termination on 3 months' notice by either party. (Hdv. 1906: 83-4.)

TEXT: German, Hdv. 1906: 75-84; Spanish, Chile Tr. 1: 307-23; English (transl.), B. F. S. P. 70: 849-57.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any favor, privilege, and im-

munity relating to commerce or navigation which either country may concede to the subjects of any other State. (Art. VI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of access with ships and cargoes, including warships and mailboats to all ports, rivers, and places in either country, so far as permitted by its laws, except coasting navigation as distinguished from port to port trade with foreign cargoes. (Art. II.)

(b) All duties levied by either country on importation of products of the other. (Art. III.)

(c) Any prohibitions imposed by either country against importation of any article from the other. (Art. III.)

(d) All duties or prohibitions imposed by either country on exportation of any article to the other. (Art. III.)

(e) The differential duty called patent tax which foreign merchants and tradesmen had to pay in Chile. (Art. XII.)

(f) All privileges, exemptions, and immunities accorded to consular agents by either country. (Art. XIII.)

(g) Favors or concessions which either country may accord with respect to recovery of deserters from naval or military services. (Art. XIV.)

(h) All liberties, rights, and protection concerning establishment, maintenance, and use of cemeteries and burial places. (Art. XVI.)

II. National treatment is reciprocally pledged in regard to:

(a) Protection and security of persons and property of citizens of either country residing in the other or engaged in any lawful trade, industry, or commerce by wholesale or retail in any part of either country. (Art. II.)

(b) All dues for tonnage, harbor, pilotage, lighthouse, quarantine, and similar dues or charges of any kind imposed in ports of either country on ships of the other from whatever place arriving, whether levied for the Government or public functionaries, corporations, or establishment of any kind. (Art. IV.)

(c) Any burden, restriction, or prohibition imposed and all drawbacks, premiums, exemptions, or concessions allowed on merchandise imported into or exported from either country in ships of the other. (Art. IV.)

(d) Any duties imposed and all premiums or drawbacks allowed on importation or exportation of any article which may be legally imported into or exported from either country whether carried in vessels of either nation. (Art. V.)

(e) Employment of agents in either country by citizens of the other and payment of remuneration to persons employed. (Art. VIII.)

(f) All rights and privileges concerning protection of persons and property in either country, including access to courts of justice and employment of advocates or other agents therein. (Arts. IX and XVI.)

(g) All privileges, liberties, and rights in all that relates to harbor police, loading and unloading of vessels, warehousing and safety of merchandise, inheritance of movable property by will or otherwise, disposal of all movable property in any manner whatever, with respect to administration of justice, with special reference to payment of imposts or duties relating to any of these, and subject always to the laws and regulations of the country. (Art. X.)

(h) Any charges, requisitions, or imposts payable in either country by citizens of the other. (Art. XII.)

(i) Right of German subjects with respect to property acquired in Chile under its laws, and all burdens or imposts relating thereto. (Art. XII.)

(j) Any burdens or exemptions which either country may impose on property of citizens of the other in case of rupture of friendly relations between the two countries. (Art. XV.)

(k) Payment of salvage dues and other expenses incurred by vessels of either nation wrecked off the coast of the other. (Art. XVII.)

III. Other provisions.

(a) Nationality of vessels to be determined, for the purpose of this treaty, by the laws of each country. (Art. VII.)

(b) Citizens of either country may conduct their business in the other personally or by agents, and may freely buy or sell any article of lawful trade imported into or exported from either country. (Art. VIII.)

(c) Citizens of either country are exempt in the other from all compulsory military service by land or sea, and from all forced loans and military exactions or requisitions. (Art. XII.)

(d) In case of rupture of friendly relations between the two countries, subjects of either established in the other may continue their trade or employment without interruption, so long as they behave peaceably and observe the laws. In case they desire to leave the country, they are allowed from 6 to 12 months to arrange their affairs and dispose of their property, and a safe conduct over any road they may choose for the purpose. (Art. XV.)

(e) Detailed provisions concerning indemnities payable to owners of vessels forcibly detained by the Government of either country in case of war, through embargo or closure of ports for a period exceeding six days. (Art. XVIII.)

IV. Exception.—The provisions of Article II (noted under I *a* and II *a* above) do not apply to the coasting navigation of either country. (Art. II.)

Treaty with Italy.

No. 223.

Treaty of commerce and navigation between Chile and Italy.

SIGNED 12 July, 1898, at Berlin. Ratifications exchanged 3 July, 1911, at Rome. Effective indefinitely, subject to termination on 12 months' notice from either party. (Art. III.)

TEXT: Italian, Boll. Leg. Dog. 28:928; Martens 90:22-4; English (transl.), B. F. S. P. 101:923.

Most-favored-nation treatment is reciprocally pledged in all that concerns their respective citizens, commerce, and navigation, with regard to any favor, privilege, or immunity which either country may accord to the citizens or products of any other nation (Art. I), except special reductions of customs duties which Chile may grant to the products of any other Central or South American State. (Art. II.)

Treaty with Japan.

No. 224.

Treaty of friendship, commerce, and navigation between Chile and Japan.

SIGNED 25 Sept., 1897, at Washington. Additional article signed 16 Oct., 1899, at Tokyo. Ratifications exchanged there 24 Sept., 1906. Effective from exchange of ratifications indefinitely, subject to termination on six months' notice from either party. (Art. XVIII.)

TEXT: English and Spanish, Japan Tr. 1918:60-70; English, B. F. S. P. 99:933-8; Spanish, Chile Tr. 4:378-90 and 6:695-708; Martens 87:127-32.

I. Most-favored-nation treatment (as defined) is reciprocally but conditionally pledged (subject to exceptions noted below) with regard to any favor, privilege, immunity, or exemption relating to commerce, navigation, and travel through or residence in the territories and possessions of either country (Art. IV and addl. article), with special reference to:

(a) All rights, privileges, exemptions, and immunities to be accorded by either country to diplomatic and consular officers of the other. (Art. II.)

(b) Entrance with ships and cargoes to all places, ports, rivers, and straits in the territories and possessions of either country, including hiring and occupation of houses and warehouses, and exercise of wholesale or retail trade in all articles of lawful commerce. (Art. III.)

(c) Duties imposed by either country on importation of products of the other, whether destined for consumption, warehousing, re-exportation, or transit. (Art. 5.)

(d) Duties or charges imposed by either country on exportation of any article to the other. (Art. 5.)

(e) Any prohibitions imposed by either country against importation or transit of products of the other, or against exportation of any articles to the other. (Art. 5.)

(f) Everything relating to transit, warehousing, bounties, facilities, drawbacks, reexports, and transit duties. (Art. VI.)

(g) All duties or charges on account of tonnage, light, harbor, pilotage, quarantine, salvage, or any similar or corresponding duties or charges whatsoever, no matter by whom or how levied, imposed in any of the ports, rivers, or straits of either country on vessels of the other. (Art. VII.)

(h) All privileges, immunities, or exemptions relating to billeting of soldiers, compulsory military service by land or sea, contributions of war, military exactions, or forced loans. (Art. XII.)

II. National treatment of the subjects and citizens of either nation in the territories and possessions of the other is reciprocally pledged in regard to protection of persons and property; also access to courts of justice and right of representation therein. (Art. XI.)

III. Other provisions.—Citizens of either nation to enjoy in the territories and possessions of the other liberty of conscience and religious worship, private or public, and the right of burial in accordance with their respective religions or national customs; subject to the laws and regulations of the country. (Art. XI.)

IV. Exceptions.—The most-favored-nation provisions noted above under I do not apply to:

(a) Special favors, privileges, or immunities relating to commerce or navigation which Japan may grant to any independent Asiatic nation, or which Chile may grant to Latin-American Republics. (Addl. article.)

(b) The coasting trade of both countries, which is regulated by their respective laws. (Art. VIII.)

Treaty with Persia.

No. 225.

Treaty of friendship and commerce between Chile and Persia.

SIGNED 30 Mar., 1903, at Washington. Ratifications exchanged there 5 Dec., 1907. Effective from 5 Feb., 1908, for indefinite term, subject to termination on 12 months' notice from either party. (Art. VI.)

TEXT: French (authentic), B. F. S. P. 100:827-8; Spanish, Chile Tr. 6:111-17; Martens 87:144-6; French and Persian, Persia Tr. 1908:187-91.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) with reference to the following matters:

(a) All rights, privileges, favors, immunities, and exemptions accorded to diplomatic and consular officers. (Art. II.)

(b) All rights, liberties, favors, and immunities regarding treatment of persons or property. (Art. III.)

(c) Duties levied by either country on importation, consumption, warehousing, reexportation, or transit of products of the other. (Art. IV.)

(d) Any prohibitions imposed by either country against imports or exports of any merchandise to or from the other, except for special sanitary reasons or to prevent propagation of epizootic diseases or destruction of crops, and measures connected with war. (Art. IV.)

II. Exceptions.—Most-favored-nation provisions noted under I *c-d* do not apply to special favors, exemptions, or privileges which Chile may accord to other Latin-American countries in return for more or less equivalent concessions. (Art. V.)

Treaty with Switzerland.

No. 226.

Treaty of commerce between Chile and Switzerland.

SIGNED 31 Oct., 1897, at Buenos Aires. Effective from 31 Jan., 1899, for an indefinite term, subject to termination on 12 months' notice from either party. (Art. III.)

TEXT: Spanish, Chile Tr. 4: 391-4; French and German (transl.), Martens 78: 585-7; English (transl.), B. F. S. P. 89: 582-3.

Most-favored-nation treatment is pledged reciprocally and without restriction with regard to any favor, privilege, or immunity which either country may accord to the citizens or products of any other nation (Art. I), except special favors, exemptions, or immunities which Chile may accord to the products of other Latin-American States (Art. II).

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CHINA.

Treaties with America, United States of, to British Empire.

Treaties of China with the following countries have been previously dealt with in this volume under—

America, United States of, Nos. 8 to 11.

Austria, No. 63.

Austria-Hungary, No. 67.

Belgium, No. 95.

Brazil, No. 136.

Great Britain (under British Empire), Nos. 143 to 146.

Treaty with Congo.

No. 227.

Treaty between China and the Congo Free State conferring mutual most-favored-nation treatment.

SIGNED 10 July, 1898, at Peking. Duration indefinite.

TEXT: English (transl.), B. F. S. P. 90:956; Hertslet's China Tr. I:240-1.

Most-favored-nation treatment is granted by China to the Congo Free State regarding all privileges of person, property, and jurisdiction enjoyed by foreign nations under the treaties concluded by China. (Art. I.)

Right of Chinese subjects to travel or reside anywhere in the Congo Free State and to buy, sell, own, or dispose of any kind of property, movable or immovable, receiving most-favored-nation treatment in all matters concerning trade, navigation, and industry. (Art. II.)

Treaty with Denmark.

No. 228.

Treaty of friendship, commerce, and navigation between China and Denmark.

SIGNED 13 July, 1863, at Tientsin. No time limit stated, but the tariff and commercial articles annexed to the treaty are subject to revision every 10 years on 6 months' notice from either party. (Art. XXVI.)

TEXT: English (authentic), B. F. S. P. 61:171-91; Hertslet's China Tr. I:249-58; Danske Tr. (1800-63):310-39.

I. Most-favored-nation treatment is pledged by China to the Danish Government and its subjects respecting free and equal par-

ticipation in all privileges, immunities, and advantages which China may grant to the Government or subjects of any other nation (Art. LIV), with special reference to privileges and immunities accorded to consuls (Art. VII) and payment of import and export duties (Art. XXIII).

II. Other provisions.

(a) Full protection in either country for persons and property of subjects of the other. (Art. I.)

(b) Right of either country to appoint a diplomatic representative to the other. (Art. II.)

(c) Residence and privileges of Danish and Chinese ambassadors or other diplomatic agents. (Arts. III-VI.)

(d) Right of Denmark to appoint consuls at open ports or cities. (Art. VII.)

(e) Protection of Danish subjects in China professing or teaching the Christian religion. (Art. VIII.)

(f) Right of Danish subjects to travel in all parts of the interior of China under passports issued by their consuls and countersigned by the local authorities. (Art. IX.)

(g) Opening of specified ports to Danish trade, including right to build or rent houses, lease lands, and to build churches, hospitals, and cemeteries. (Arts. XI, XII.)

(h) Right of Danish subjects to employ Chinese in any lawful capacity (Art. XIII), and to hire boats for transport of goods or passengers, without interference from the Chinese Government (Art. XIV).

(i) Jurisdiction of all questions respecting rights of persons or property arising between Danish subjects in China is vested in Danish authorities exclusively. Disputes between Danes and other foreigners to be regulated by treaties between Denmark and such powers, without any intervention of Chinese authorities. (Art. XV.) Crimes committed by subjects of either nation against subjects of the other to be punished by authorities of the defendant's nation. (Art. XVI.) Consular intervention in disputes between Chinese and Danish subjects. (Art. XVII.)

(j) Protection by Chinese authorities of persons and property of Danish subjects from insult and violence (Art. XVIII), and of Danish vessels from pirates (Art. XIX).

(k) Assistance to be given Danish vessels wrecked or stranded on coasts of China or seeking refuge in Chinese ports. (Art. XX.)

(l) Cooperation of Danish consul with Chinese authorities for arrest of Chinese offenders taking refuge in houses or on vessels of Danish subjects. (Art. XXI.)

(m) Danish and Chinese fraudulent debtors to be brought to justice by their respective authorities. (Art. XXII.)

(n) Danish merchants importing or exporting merchandise to or from Chinese ports to pay duties specified in the tariff annexed to this treaty. (Art. XXV.)

(o) Danish vessels trading with ports not open by treaty are liable to confiscation by the Chinese Government, together with their cargoes. (Art. XLVII.)

(p) Detailed provisions relating to transit dues (Art. XXVII); tonnage dues (Arts XXVIII-XXX); erection of beacons, buoys, or lightships (Art. XXXI); standard weights and measures (Art. XXXIII); pilotage (Art. XXXIV); customs guards (Art. XXXV); ships' papers, bills of lading, etc. (Art. XXXVI); permit for discharge of goods for landing or shipping cargoes, and for transshipment (Arts. XXXVII-XXXIX); port clearance (Art. XL); mode of collecting duties (Arts. XLI-XLIII); coastwise trade (Art. XLIV); reexportation of merchandise and drawbacks relating thereto (Art. XLV); prevention of smuggling (Arts. XLVI, XLVIII); and suppression of piracy (Art. LIII).

Treaties with France.

No. 229.

Treaty of friendship, commerce, and navigation between China and France.

SIGNED 27 June, 1858, at Tientsin. Duration indefinite. After 27 Oct., 1872, negotiations may be opened by France for revision of the treaty (Art. XL); and the (new) tariff of import and export duties annexed to the treaty is subject to revision every seven years (Art. XXVII and separate article).

TEXT: French (authentic), France Tr. I: 574-88; Clercq 7: 413-29; Hertslet's China Tr. I: 269-86; B. F. S. P. 51: 636-68; Martens 46 (pt. 1): 2-43.

I. Most-favored-nation treatment is pledged to French subjects in general terms with regard to all rights, privileges, immunities, and guaranties which China may accord to other powers. (Art. XL.)

Most-favored-nation treatment is further pledged as follows:

(a) Diplomatic agents of either country to enjoy at the place of their residence in the other all privileges and immunities accorded to them by the law of nations; France pledging most-favored-nation treatment to diplomatic agents of China in regard to all honors and prerogatives enjoyed by such agents in France. (Art. II.)

(b) Any changes introduced by common consent in favor of any other country having treaties with China regarding ameliorations to be made in the existing tariff, or in customs duties and dues for tonnage, importation, transit, or exportation, shall be immediately applicable to the commerce and merchants of France. (Art. IX.)

(c) French merchants and citizens are assured most-favored-nation treatment in all parts of China with regard to the tariff, and any stipulations which China may agree to by treaty. (Art. XXVII.)

II. National treatment is assured to French subjects in China with reference to travel and right to follow their occupation in the immediate vicinity of Chinese ports open to foreign commerce. (Art. VIII.)

III. Other provisions.—Elaborate and extensive provisions regarding rights and privileges of French merchants and citizens in China relate to:

(a) Right of France to appoint consuls at places named. (Art. V.)

(b) Opening of specified Chinese ports and places to foreign commerce. (Art. VI.)

(c) Right of French subjects to reside, travel, and exercise commerce and industry in the ports and places named. (Art. VII.)

(d) Passports required for travel through interior towns. (Art. VIII.)

(e) Right of French subjects at open ports to rent and build houses and warehouses, cultivate lands, and establish churches, hospitals, schools, and cemeteries (Art. X); and to employ Chinese subjects for purposes named (Art. XI).

(f) Inviolability of property of all kinds belonging to French subjects in China. French vessels are exempt from embargo and from requisitions for any public or private service. (Art. XII.)

(g) Religious freedom to Christians of all communions and protection of Christian missionaries entering the interior of China when furnished with proper passports. (Art. XIII.)

(h) No privileged commercial association to be permitted in China, nor any coalition organized for the purpose of commercial monopoly. (Art. XIV.)

(i) Import and export duties levied in China on French commerce to be as specified in the tariff annexed to the treaty; this tariff being subject to revision every seven years. (Art. XXVII.)

(j) In case China is at war, French commerce with China, or with the enemy country, shall not be interrupted, except by effective blockade. (Art. XXXI.)

(k) Jurisdiction of French authorities in questions affecting their nationals. (Arts. XXXV, XXXVIII-XXXIX.)

(l) Protection of persons and property of French citizens in China. (Art. XXXVI.)

(m) Detailed provisions relating to official communications and correspondence of French diplomatic and consular agents with Chinese authorities (Arts. III, IV); pilotage (Arts. XV-XVI); ship's papers and bills of lading (Art. XVII); permits required (under penalties stated) for discharging, loading, or transshipment of cargo (Arts. XIX, XX, XXV); mode of levying duty in Chinese ports (Arts. XIX-XXIV, XXVI); tonnage dues (Arts. XX-XXII); drawbacks on reexportation of duty-paid goods (Art. XXIV);

smuggling (Art. XXVIII); French warships in Chinese waters (Arts. XXIX, XXX); piracy (Art. XXXIV); and treatment of debtors of either nationality in China (Art. XXXVII).

(n) Tariff of Chinese import and export duties, and very extensive commercial regulations for the conduct of French navigation and commerce in China. (Annex.)

No. 230.

Commercial convention between China and France.

SIGNED 25 Apr., 1886, at Tientsin. Ratifications exchanged 7 Aug., 1896, at Peking. Duration indefinite. Subject to revision after 7 Aug., 1906. (Art. XVIII.)

TEXT: French, France Tr. I: 600-8; Clercq 17: 164-82; Hertslet's China Tr. I: 301-11; B. F. S. P. 85: 735-44; Martens 72: 34-41.

I. Most-favored-nation treatment is pledged in respect to:

(a) Rights and privileges of French consuls to be appointed in China at places named. (Art. I.)

(b) Rights and privilèges and treatment of Chinese consuls to be appointed in Tonkin at places named. (Art. II.)

(c) Right of Chinese subjects to possess lands, erect buildings, maintain warehouses, and establish commercial undertakings in any part of Annam, with the same protection and security for their persons, families, and properties as subjects of the most-favored European nation, the same privileged treatment being accorded to French subjects in China. (Art. IV.)

(d) All privileges and immunities of whatever kind are assured to France, including all commercial advantages which China may accord by treaties or conventions designed to regulate political or commercial relations with countries lying to the south or southwest of the Chinese Empire (Addl. conv., 26 June, 1887,⁸⁹ Art. VII), with special reference to tariff schedules relating to overland commerce across the southwest frontier of China (Art. VII).

(e) Treatment of Chinese subjects residing in Annam with reference to jurisdiction in criminal, fiscal, and other matters. (Art. XVI.)

II. Other provisions.

(a) Establishment of French subjects and of Annamites at places open to commerce on the frontier of China under conditions stated in specified articles of the treaty of 27 June, 1858.⁹⁰ (Art. III.)

(b) Merchandise imported by French subjects into localities open to commerce on the Chinese frontier may after paying import duties

⁸⁹ French, France Tr. I: 609-12; Hertslet's China. Tr. I: 311-14; B. F. S. P. 85: 744-6; Martens 72: 60-2.

⁹⁰ See No. 229.

be transported to the interior markets of China under conditions fixed by specified commercial regulations of the treaty of 27 June, 1858.⁹⁰ (Art. VI.)

(c) Statement of duties payable on foreign merchandise imported into China through open towns, and of duties payable by Chinese merchandise exported to Tonkin. (Addl. conv., Art. III.)

(d) Elaborate and detailed provisions concerning overland commerce between China, Tonkin, and Annam. (Arts. VII–XIII.)

(e) Provisions concerning suppression of opium traffic (Art. XIV, import and export prohibitions of specified articles (Art. XV), and extradition of criminals (Art. XVII).

Treaty with Germany.

No. 231.

Agreement between China and Germany to restore relations of friendship and commerce.

SIGNED 20 May, 1921, at Peking. Ratifications exchanged there 1 July, 1921. Effective from 1 July, 1921, for indefinite term. (Art. 7.)

TEXT: English (transl.), Cur. Hist. XIV: 1042–4.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) Right of either country to appoint consular officers in the other, and the treatment to be accorded to them in either country. (Art. 2.)

(b) Right of nationals of either country to travel, settle, and carry on commerce or industry in the other, in accordance with the laws and ordinances of the country. (Art. 3.)

(c) All duties or charges (including internal charges), and all prohibitions or restrictions which Germany may impose on importation of products of China, from whatever place arriving, as provided by Article 264 of the treaty of Versailles of 28 June, 1919.⁹¹ (Supp. note.)

II. National treatment is reciprocally pledged with regard to:

(a) Taxes, imposts, or levies payable by citizens of either country in the other. (Art. 3.)

(b) Tariffs payable by citizens of either country in the other on import, export, or transport of raw materials or manufactured goods of whatever origin. (Art. 4.) But this stipulation shall not prevent China from claiming most-favored-nation treatment in Germany under Article 264 of the treaty of Versailles⁹¹ (Supp. note), as noted under II c above.

III. Other provisions.

⁹⁰ See No. 229.

⁹¹ See No. 314, I b.

(a) Germany engages to fulfill the obligations toward China which arise from Articles 128-34 of the treaty of Versailles of 28 June, 1919. (Preliminary decl.)

(b) Germany agrees to the abolition of consular jurisdiction in China. (Ibid.)

(c) Diplomatic representatives which either country may send to the other shall, on condition of reciprocity, enjoy the privileges and immunities in the country of their sojourn which are granted by international law. (Art. 1.)

(d) Nationals of either country shall be subject in the other to the jurisdiction of the local courts as regards both their persons and their property, and must conform to the laws of the land of sojourn (Art. 3.)

(e) Questions of customs to be determined by each country solely through internal legislation. (Art. 4.)

(f) The terms of this agreement and Germany's declaration of same date shall serve as a basis in negotiating the final treaty. (Art. 5.)

(g) Extensive and detailed provisions concerning compensation for damages; Chinese property in Germany; Chinese students in Germany; guarantees for the property of Chinese and Germans; legal guarantees; cases before the mixed courts; Chinese regulations concerning trade with the enemy; and regulation of Chinese-German obligations. (German Supp. note and Chinese reply thereto.)

Treaties with Great Britain.

See Nos. 143 to 146.

Treaty with Italy.

No. 232.

Treaty of friendship, commerce, and navigation between China and Italy.

SIGNED 26 Oct., 1866, at Peking. Duration indefinite. The commercial articles of the treaty and the annexed tariffs are subject to revision every 10 years on six months' notice from either party. (Art. XXVI.)

TEXT: Italian, Italy Tr. 2: 207-40; Hertslet's China Tr. I: 354-61; French, B. F. S. P. 61: 144-59.

I. Most-favored-nation treatment is pledged by China in general terms to the Government and subjects of Italy as regards all privileges, immunities, and advantages which China may accord to the Government or subjects of any other nation. (Art. LIV.)

Most-favored-nation treatment is further pledged with regard to:

(a) Appointment of Italian consuls in China, and all immunities and privileges to be accorded to them. (Art. VII.)

(b) Duties payable on merchandise imported into or exported from China by Italian subjects. (Art. XXIV.)

II. Other provisions.

(a) Full protection in either country for persons and property of subjects of the other. (Arts. I and XVIII.)

(b) Diplomatic agents of either country to enjoy in the other all privileges and immunities conceded to them by the law of nations. (Arts. II-VI.)

(c) Provisions relating to residence and privileges of diplomatic agents in either country. (Arts. II-VI.)

(d) Protection of Italian subjects professing or teaching the Christian religion in China, so long as they behave peaceably and observe the laws. (Art. VIII.)

(e) Italian subjects may travel throughout the interior of China in pursuit of their commercial interests, under passports issued by their consuls and endorsed by the local authorities. (Art. IX.)

(f) Formalities concerning official business and correspondence between Italian and Chinese authorities. (Art. X.)

(g) Specified ports are opened to Italian ships and commerce. Right of Italians to acquire lands and construct houses, churches, hospitals, and cemeteries in China. (Arts. XI, XII.)

(h) Right of Italians to employ Chinese subjects in any lawful occupation. (Art. XIII.)

(i) Provisions concerning freighting of boats and junks by Italian subjects for transport of merchandise and passengers in China. (Art. XIV.)

(j) Jurisdiction of disputes between Italians in China concerning rights of persons or property is vested in Italian authorities exclusively. Disputes between Italians and other foreigners in China to be judged by their respective authorities, without interference of the Chinese Government. (Art. XV.)

(k) Crimes committed by subjects of either country against subjects of the other to be punished by authorities of the defendant's nation. (Art. XVI.)

(l) Consular intervention and joint jurisdiction of disputes between Chinese and Italian subjects in China. (Arts. XV and XVII.)

(m) Extensive and detailed provisions relating to suppression of piracy (Arts. XIX and LIII); assistance to Italian vessels seeking refuge from damage or shipwreck in Chinese waters (Art. XX); freedom of Italian commerce in case China is at war (Art. XXI); extradition of Chinese criminals and of Italian seamen deserters (Art. XXII); bringing fraudulent debtors to justice (Art. XXIII); payment of transit dues in China (Art. XXVII); tonnage dues in Chinese waters (Arts. XXVIII-XXX); construction of lighthouses or signal stations and placing of buoys or lightships (Art. XXXI); Chinese standard weights and measures (Art. XXXIII); pilotage (Art. XXXIV); customhouse guards (Art. XXXV); ships' papers,

bills of lading, etc. (Art. XXXVI); permits for loading, discharging, or transshipment of cargo in Chinese ports (Arts. XXXVII-XXXIX); port clearance (Art. XL) valuation of merchandise subject to ad valorem duties (Art. XLI); ascertainment of net weights for customs purposes (Art. XLII); reexportation of duty-paid goods and drawbacks relating thereto (Arts. XLIV-XLV); suppression of smuggling and fraud (Art. XLVI); confiscation of Italian vessels and their cargoes engaged in commerce at Chinese ports not opened by treaty, or guilty of smuggling or unlawful trade on the coast (Arts. XLVII-XLVIII); and right of Italian warships to visit all Chinese ports (Art. LII).

(n) Extensive tariff schedules and commercial regulations annexed to the treaty specify duties to be levied in China on merchandise of any kind imported or exported by Italian subjects. (Art. XXIV.)

Treaties with Japan.

No. 233.

Treaty of commerce and navigation between China and Japan.

SIGNED 21 July, 1896, at Peking. Ratifications exchanged 20 Oct., 1896. Effective from 20 Oct., 1896, for indefinite term, the tariffs and commercial articles of the treaty being subject to revision at the end of every 10 years on demand from either party; but unless such revision is effected within six months after the end of any 10-year period the treaty and tariffs continue in force unchanged for a further 10 years. (Art. XXVI.) This treaty confirms all privileges, immunities, and advantages conferred on the Japanese Government and its subjects by treaties then in force between the two countries. (Art. XXV.)

TEXT: English (authentic), Martens 84:419-25; B. F. S. P. 88:473-80; Japan, Tr. 1918:80-8.

I. Most-favored-nation treatment is reciprocally pledged respecting all prerogatives, privileges, and immunities accorded by international law to diplomatic agents. (Art. II.)

II. Most-favored-nation treatment is further stipulated with reference to:

(a) Treatment of Japanese consular officers in China respecting all attributes, authority, jurisdiction, privileges, and immunities extended to similar officers of the nation most favored in these respects. (Art. III.)

(b) Appointment of Chinese consular officers in Japan who shall enjoy "all rights and privileges usually accorded such officers," except jurisdiction over Chinese subjects and property in Japan. (Art. III.)

(c) Treatment of Japanese subjects and their families, employees, or servants respecting all privileges and immunities concerning travel, residence, and exercise of any trade, industry, manufacture, or other lawful avocation in all ports, cities, and towns of China open to foreign residence and trade, with particular reference to renting or purchasing houses, renting or leasing land, and building churches, cemeteries, and hospitals. (Art. IV.)

(d) Payment of import or export duties in China by Japanese subjects, with special reference to duties on any articles imported from or exported to Japan. (Art. IX.)

(e) Tonnage dues levied in China on Japanese vessels and boats. (Art. XV.)

(f) Free and equal participation by the Japanese Government and its subjects in all privileges, immunities, and advantages granted by the Emperor of China to the government or subjects of any other nation. (Art. XXV.)

III. Other provisions.

(a) Protection in either country of persons and property of subjects of the other. (Art. I.)

(b) Jurisdiction over Chinese subjects and property in Japan is reserved to Japanese judicial courts. (Art. III.)

(c) Jurisdiction over persons and property of Japanese subjects in China is reserved exclusively to Japanese authorities, who shall determine all cases without intervention of Chinese authorities. (Art. XX.)

(d) All charges and complaints of a civil nature brought by authorities or subjects of either country in China against subjects of the other, or respecting property of the other, shall be heard and determined by authorities of the defendant's nation. (Art. XXI.)

(e) Criminal charges brought in China against subjects of either country to be tried, and the criminals punished, by defendant's nation. (Art. XXII.)

(f) Japanese vessels may touch at all open ports and ports of call in China for the purpose of landing and shipping passengers and merchandise in accordance with existing rules and regulations concerning foreign trade there. (Art. V.)

(g) The tariff and tariff rules in force between China and the western powers apply to all articles upon importation into China by Japanese subjects, or from Japan; or upon exportation from China by Japanese subjects, or to Japan. (Art. IX.)

(h) All articles duly imported into China by Japanese subjects or from Japan are exempt from all taxes, charges, or exactions of every description while being transported from one open port to another, whatever the nationality of the owner or possessor of the articles, or the nationality of the conveyance or vessel in which the transportation is made. (Art. X.)

(i) Japanese subjects may convey imported articles (except opium) to inland markets of China free of all transit duties and inland charges whatsoever, after payment of a commutation transit tax equal to half the import duty on dutiable articles, or $2\frac{1}{2}$ per cent ad valorem on duty-free articles. (Art. XI.)

(j) All Chinese products permitted to be exported to foreign countries and which are purchased by Japanese subjects at open ports of China are exempt from all internal taxes, charges, or exactions of every description, except only export duties upon exportation. (Art. XII.)

(k) All articles purchased by Japanese subjects in any part of China shall be freed from all internal taxes and charges upon payment of a commutation transit tax equal to half the export duty on dutiable articles, or $2\frac{1}{2}$ per cent ad valorem on other articles; and may for purposes of export abroad be transported from open port to open port, subject to existing rules and regulations. (Art. XII.)

(l) Merchandise of foreign origin, on which full import duty has been paid, may at any time within three years from date of importation be reexported from China by Japanese subjects to any foreign country without paying export duty; the reexporter being further entitled to receive draw-back certificates, immediately redeemable in ready money by the Chinese customs authorities, at holder's option, for the amount of import duty paid, provided the merchandise remains intact and unchanged in its original packages. (Art. XIII.)

(m) The Chinese Government consents to the establishment of bonded warehouses at open ports of China. (Art. XIV.)

(n) Detailed provision relating to payment of tonnage dues by Japanese vessels in Chinese ports. (Art. XV.)

(o) Protection and assistance to each other's vessels seeking refuge from damage or shipwreck. (Art. XVII.)

(p) Extensive provisions concerning travel and passports (Art. VI); hiring of Chinese, boats, porters, or coolies (Art. VIII); engaging Chinese pilots at open ports (Art. XVI); fraudulent debtors (Arts. XXIII-IV); smugglers (Art. XVIII); piracy (Art. XIX); and rules and regulations to give effect to this treaty (Art. XXVII).

No. 234.

Supplementary treaty of commerce and navigation between China and Japan.

SIGNED 8 OCT., 1903, at Shanghai. Effective for indefinite term.

TEXT: English (authentic), Martens 81: 483-93; Japan Tr. 1918: 131-46.

I. Most-favored-nation treatment is pledged by China with reference to:

(a) Treatment of Japanese Government, officers, subjects, commerce, navigation, shipping, industries, and property of all kinds, respecting free and full participation in all privileges, immunities, and advantages which China may grant to any other nation in these respects. (Art. IX.)

(b) Japan's commerce, rights, and privileges in China, with reference to any surtax levied by China in excess of the tariff rates, and with reference to arrangements made by China with all the Treaty Powers regarding the production tax, consumption tax, excise, and taxes on native opium and salt. (Art. I.)

II. Other provisions.

(a) The provisions of all treaties and engagements then subsisting between the two countries are confirmed, so far as not modified or repealed by this treaty. (Art. IX.)

(b) Any Japanese steamer capable of navigating the inland waterways of China may proceed for the purpose of trade from a treaty port to places inland, on complying with conditions stated. (Art. III.)

(c) Provisions for reciprocal protection in either country of registered trade-marks and copyrights belonging to subjects of the other. (Art. V.)

(d) China agrees to establish a system of uniform national coinage, to provide for a uniform national currency (Art. VI), and to promote adoption of uniform standards of weights and measures (Art. VII).

(e) In view of China's desire to reform its judicial system, Japan agrees to relinquish its extraterritorial rights when satisfied that the state of Chinese laws, the arrangements for their administration and other considerations warrant such action. (Art. XI.)

(f) Provisions concerning formation of joint partnerships between Chinese and Japanese subjects. (Art. IV.)

(g) Additional rules for steam navigation of inland waters. (Annex I.)

No. 235.

Treaty and supplementary agreement between China and Japan regarding Manchuria.

SIGNED 22 Dec., 1905. Effective from date of signature. Duration indefinite.

TEXT: English (official transl.), B. F. S. P. 98:740-5; MacMurray I:549-53.

I. Most-favored-nation treatment is reciprocally pledged in all that relates to frontier trade between Manchuria and Corea and in all matters dealt with in this treaty or supplementary agreement. (Supp. Agt. attached, Arts. XI-XII.)

II. Other provisions.

(a) China consents to all the transfers and assignments made by Russia to Japan by Articles V and VI of the treaty of peace of 5 Sept., 1905.⁹² (Art. I.)

⁹² French, B. F. S. P. 98:735-40.

(b) China agrees that all materials required for the railways in South Manchuria shall be exempt from all duties, taxes, and likin. (Supp. agrt., Art. VIII.)

(c) Detailed provisions concerning opening by China of specified cities and towns in Manchuria as places of international residence and trade (Ibid., Art. I), withdrawal of Japanese and Russian troops and railway guards in Manchuria (Ibid., Arts. II, III), restoration of Chinese public and private property in Manchuria by Japan (Ibid., Art. IV), maintenance and working of the military railway between Antung and Mukden and its sale to China after fifteen years (Ibid., Art. VI), and organization of a joint-stock company of forestry for exploitation of the forests on the right bank of the River Yalu (Ibid., Art. X).

Treaty with Mexico.

No. 236.

Treaty of friendship, commerce, and navigation between China and Mexico.

SIGNED 14 Dec., 1899, at Washington. Effective from 19 June, 1900, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XIX.)

TEXT: English (authentic), B. F. S. P. 92:1057-62; Spanish, Mexico Tr. Vig. 1:165-75.

I. Most-favored-nation treatment is reciprocally pledged to subjects of either country in the other respecting all rights and advantages granted to subjects of any other nation. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All prerogatives, exemptions, immunities, and privileges accorded to diplomatic agents in either country. (Art. II.)

(b) Functions, immunities, and privileges granted to consular officers in either country. (Art. III.)

(c) Right of subjects of either country to travel and exercise commerce in the other, and all advantages relating thereto, subject to any special conditions applying to all other nationals. (Art. VI.)

(d) Application to citizens and merchant vessels of either country of legal provisions regulating commerce at ports of the other open to foreign commerce. (Art. VII.)

(e) Import duties imposed by either country on products of the other. The same principle to be observed in regard to exportation. (Art. VIII.)

(f) Any prohibitions or restrictions which either country may impose against the other regarding importation or exportation, except sanitary measures, or to prevent propagation of epizootic diseases or loss of crops, and measures connected with war. (Art. VIII.)

(g) Admission of warships of either country into ports of the other where foreign warships may enter, and treatment to be accorded to them. (Art. IX.)

(h) Right of merchant vessels of either country to frequent ports of the other open to foreign commerce, including (on condition of reciprocity) any concessions or favors which either country may grant in respect of its coasting trade. (Art. XI.)

(i) All duties, charges, or fees of any kind, local or federal, imposed in territories or ports (as defined) of either country on vessels of the other, with special reference to dues for tonnage, lighthouse, port, pilotage, quarantine, salvage, and assistance in case of damage or shipwreck. (Art. XI.)

(j) Treatment of vessels of either country seeking shelter in ports of the other from damage or shipwreck. (Art. XI.)

II. National or most-favored-nation treatment (optional) is pledged to Chinese subjects in Mexico with regard to all rights and concessions concerning access to judicial tribunals for defense of their legitimate rights. (Art. XVII.)

III. National treatment is reciprocally pledged to subjects of either country in the other respecting all military charges, forced loans, requisitions, and contributions imposed on real property. (Art. X.)

IV. Other provisions.

(a) Right of citizens of either country to reside in the other, with complete protection in their persons, family, and property. (Art. I.)

(b) Provisions concerning travel and passports in China, and right of Chinese subjects to travel freely through all the territory of Mexico. (Art. IV.)

(c) Emigration of subjects of either country to be free and voluntary. (Art. V.)

(d) Citizens of either country are exempt in the other from all compulsory military service by land or sea, and from all contributions imposed as compensation therefor; also from forced loans, and from charges, requisitions, and war contributions, unless imposed on real property. (Art. X.)

(e) Vessels, cargoes, merchandise, and effects of subjects of either country are exempt in the other from detention for military expeditions or any other public purposes, without full compensation previously made. (Art. X.)

(f) Limit of territorial waters of either country (for enforcement of customs regulations and prevention of smuggling) to be three sea leagues from the line of low tide. (Art. XI.)

(g) Detailed provisions concerning treatment of subjects of either country in the other with regard to administration of justice. (Arts.

XIII-XVI.) Mexico to have an equal share in any agreement which China may make with foreign Powers to establish a code concerning jurisdiction over foreign subjects in China. (Art. XV.)

Treaty with the Netherlands.

No. 237.

Treaty of friendship and commerce between China and the Netherlands.

SIGNED 6 Oct., 1863. Duration indefinite, but the Netherland Government is given the right to participate in negotiations for future revision of the tariff of commercial treaties in China pursuant to Chinese treaties with other powers. (Separate article.)

TEXT: Dutch, Lagemans 5: 246 a-h; English (transl.). Hertslet's China Tr. I: 407-14; B. F. S. P. 60: 766-73.

I. Most-favored-nation treatment is pledged to the Netherland Government and its subjects regarding full participation in all rights, privileges, and franchises not included in this treaty, but which China has granted or may grant thereafter to other foreign nations (Art. XV), with special reference to duties on importation, exportation, and transit of goods. (Art. X.)

II. Other provisions.

(a) Right of Netherlands to appoint diplomatic and consular officers in Chinese ports opened to Netherland trade by this treaty. (Art. I.)

(b) Commercial rights of Netherland subjects at specified seaports and river ports in China, including right of residence, hiring and leasing of lands or houses, and building of dwellings, warehouses, churches, hospitals, etc., except at places occupied by rebels or robbers, which must not be supplied with ammunition or provisions by Netherland ships, under penalty of confiscation of ship and cargo. (Art. II.)

(c) Right of Netherland subjects to travel in the interior of China, subject to existing regulations relating thereto, but without establishing commercial houses or shops. (Art. III.)

(d) Protection of Christian missionaries from the Netherlands and of native Christians in the interior of China, so long as they behave peaceably and observe the laws. (Art. IV.)

(e) Right of Netherland subjects to employ Chinese for any lawful purpose, and to hire boats for conveyance of persons and goods without intervention of Chinese authorities. (Art. V.)

(f) Disputes between Netherland subjects in China to be settled by local consuls without intervention of Chinese Government. Disputes between Chinese and Netherland subjects to be settled by authorities of both countries jointly, offenses being punished by defendant's nation. Criminal subjects and fraudulent debtors of either country to be brought to justice by their respective authorities. (Art. VI.)

(g) Protection by Chinese authorities of Netherland subjects and their property, with special reference to vessels seeking refuge from plunder, damage, or shipwreck in Chinese waters. (Art. VII.)

(h) Detailed provisions relating to tonnage duties in Chinese ports (Art. VIII); ship's papers, bills of lading, and port clearance (Art. IX); permits required (under penalties stated) for discharging, loading, or transshipment of cargo (Arts. IX, X); reexportation of duty-paid goods (Art. X); mode of levying duty in Chinese ports (Art. XI); confiscation of Netherland ships and their cargoes trading at Chinese ports not opened by this treaty; and confiscation of goods in case of smuggling (Art. XII); right of Netherland war-ships to visit any Chinese port. (Art. XIII.)

Treaty with Norway.

No. 238.

*Treaty of peace, amity, and commerce between China and Sweden*⁹³
and Norway.

SIGNED 20 Mar., 1847, at Canton. Duration indefinite, subject to modification at the expiration of 12 years. (Art. XXXIV.)

TEXT: English, Hertslet's China Tr. I: 527-39; Norwegian, Norway Tr. 1914: 103-13.

I. Most-favored-nation treatment is pledged by China to subjects of Sweden and Norway respecting complete, equal, and impartial participation in any advantages or privileges of whatever description which China may concede to any other nation, with special reference to payment of import and export duties. (Art. II.)

II. Other provisions.

(a) Specified Chinese ports opened to subjects and commerce of Sweden and Norway. Vessels trading with other ports, or trading fraudulently along Chinese coasts, are subject to confiscation, together with their cargoes. (Art. III.)

(b) Right of Sweden and Norway to appoint consuls at Chinese ports. (Art. IV.)

(c) Subjects of Sweden and Norway may import into or export from China, and may buy or sell therein, all kinds of merchandise of which importation or exportation is not prohibited by this treaty, paying only the duties specified in the tariff annexed. (Art. V.)

(d) Abolition of exclusive trade with Hong merchants and of other monopolies or injurious restrictions. (Art. XV.)

(e) The Government of either country not responsible for debts of its subjects. (Art. XVI.)

(f) Right of subjects of Sweden and Norway to hire or build houses and places of business; also hospitals, churches, and cemeteries. (Art. XVII.)

⁹³ Modified as regards Sweden, by treaty of 2 July, 1908, see No. 242, II f.

(g) Protection by Chinese authorities of persons and property of subjects of Sweden and Norway. (Art. XIX.)

(h) Crimes committed by subjects of either country against subjects of the other to be punished by authorities of the defendant's nation. (Art. XXI.)

(i) In case China is at war with any other nation, vessels of Sweden and Norway may continue their commerce between ports of the belligerent parties, subject to conditions stated. (Art. XXII.)

(j) Consuls of Sweden and Norway to send yearly reports to Chinese authorities on Swedish and Norwegian shipping and import and export trade with Chinese ports. (Art. XXIII.)

(k) Friendly treatment of Swedish and Norwegian vessels wrecked or stranded on the coast of China or seeking refuge in Chinese ports. (Art. XXVII.)

(l) Subjects of Sweden and Norway, their vessels, and property are exempt from embargo and from forcible detention for public service. (Art. XXVIII.)

(m) Detailed and extensive provisions concerning deposit of ships' papers and payment of tonnage dues (Arts. VI, VII, X, XIII); employment of pilots in Chinese waters and of Chinese subjects (Art. VIII); customs administration (Arts. IX–XIV); Chinese standard weights and measures (Art. XII); payment of tonnage, import, and export duties, and port clearances (Art. XIII); permits required for transshipments (Art. XIV); limitations on travel in China (Art. XVII); employment of Chinese scholars and purchase of books (Art. XVIII); procedure for reexportation (Art. XX); communications between Chinese authorities and Swedish and Norwegian officials in China (Art. XXIV, XXX–XXXII); consular jurisdiction in China (Arts. XXV–VI, XXIX); extradition of mutineers or deserters (Art. XXIX); clandestine trade with Chinese ports not open to foreign commerce and trade in opium and other contraband articles (Art. XXXIII).

Treaty with Peru.

No. 239.

Treaty of friendship, commerce, and navigation between China and Peru.

SIGNED 26 June, 1874, at Tientsin. Effective from 7 Aug., 1875, for indefinite term, subject to revision every 10 years on six months' notice from either party. (Art. XVIII, as interpreted by protocol of 17 Aug., 1909, confirming this treaty. English, B. F. S. P. 102: 752–3.)

TEXT: English (authentic), B. F. S. P. 66:1125–30; Hertslet's China Tr. I: 415–22; Martens 72: 5–11; Spanish, Peru Bol. Rel. Ext. 33:101–3; French (transl.), Martens 53: 497–502.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting full and equal participation in all rights, privi-

leges, immunities, advantages, and jurisdiction accorded by either country to the government, public officers, citizens, or subjects of any other nation. (Art. XVI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Appointment of consular officers, and all rights, privileges, and immunities accorded to them by either country. (Art. IV.)

(b) All rights and privileges of merchant vessels in ports of either country open to foreign commerce. (Art. VIII.)

(c) All duties imposed in ports of either country on goods imported or exported by subjects of the other. (Art. IX.)

(d) Facilities for provisioning, coaling, repairing, etc., accorded to vessels of war in ports of either country. (Art. X.)

(e) Treatment of Chinese vessels wrecked or seeking refuge on the coast of Peru. (Art. XI.)

II. National or most-favored-nation treatment (optional) is assured to Chinese subjects in Peru respecting all rights and privileges concerning free and open access to courts of justice. (Art. XV.)

III. Other provisions.

(a) Diplomatic agents of either country to enjoy in the other all privileges and immunities accorded to them by international usages. (Art. III.)

(b) Detailed provision concerning passports required by Peruvians for travel in China, and right of Chinese to travel freely in Peru. (Art. V.)

(c) Assistance to each other's vessels, their crews and cargoes, in case of damage or shipwreck, the salvaged merchandise being free of all duties in either country unless cleared for consumption. (Art. XI.)

(d) Peruvian consuls and Chinese officers to cooperate in settling complaints of subjects of either country against subjects of the other in China. (Art. XII.)

(e) Crimes committed in China by subjects of either country against subjects of the other to be punished by authorities of the defendant's nation in accordance with its laws. (Art. XIII.)

(f) All questions regarding rights of property or persons arising between Peruvian citizens in China are subject to jurisdiction of Peruvian authorities; but Chinese authorities may interfere in all cases when Chinese subjects are concerned in the matter. (Art. XIV.)

(g) Right of citizens of either country to enter the other for travel, trade, labor, or as permanent residents (subject to restrictions noted below under IV); but both countries undertake to discourage and suppress emigration from either, except by voluntary consent of

the emigrants, and to punish severely, in accordance with their respective laws, any violations of this stipulation. (Art. VI.)

(h) For the better understanding and more efficient protection of Chinese subjects in Peru official interpreters of the Chinese language are to be appointed by Peru at the large centers of Chinese immigration. (Art. VII.)

IV. Note.—Immigration of Chinese into Peru is regulated by the protocol of 28 Aug., 1909 (Spanish, Peru Act. Int. 1916, No. 87; Martens 90:578-90; English (transl.), B. F. S. P. 102:394-6).

Treaty with Portugal.

No. 240.

Treaty of friendship and commerce between China and Portugal.

SIGNED 1 Dec., 1887, at Peking. No time limit stated; but the tariff and commercial articles annexed to the treaty are subject to revision every 10 years on six months' notice from either party. (Art. XLVI.)

TEXT: English (authentic), B. F. S. P. 78:521-33; Hertslet's China Tr. I:423-33; Martens 68:787-98.

I. Most-favored-nation treatment is pledged by China to Portugal with regard to:

(a) Appointment of Portuguese consular officers in China, and all exemptions, privileges, and immunities accorded to consular functionaries in China. (Art. IX.)

(b) All immunities and privileges, and all advantages concerning commerce and navigation (such as any reduction in duties of navigation, importation, exportation, transit, or any other) which China may grant to any other State or its subjects, will be immediately extended to Portugal and its subjects. But if any concession is granted by China to any foreign Government under special conditions, Portugal must fulfil the conditions before claiming the concession in question. (Art. X.)

(c) Right of Portuguese subjects to reside and trade at ports of China open to foreign commerce, and to navigate their boats between said ports; and all rights and privileges concerning imports and exports of merchandise. (Art. XI.)

(d) Duties payable by Portuguese subjects in China on imports and exports of merchandise. (Art. XII.)

II. Other provisions.

(a) Protection of subjects of either country in the other as regards their persons and property. (Arts. I and XV.)

(b) Confirmation of specified earlier stipulations providing for perpetual Portuguese occupation and government of Macao, Portugal engaging never to alienate Macao without previous agreement with China. (Arts. II, III.)

(c) Detailed provisions concerning appointment of diplomatic and consular agents, and their rights, privileges, and functions in either country. (Arts. V-IX.)

(d) Right of Portuguese subjects to hire Chinese boats for conveyance of cargoes or passengers, and to employ Chinese in any lawful capacity at open ports. (Arts. XIII, XIV.)

(e) Right of Portuguese to build houses, churches, hospitals, and cemeteries at treaty ports or other places; also shops and warehouses at ports open to trade. (Art. XVI.)

(f) Detailed and extensive provisions relating to passports (Art. XVII); piracy (Art. XVIII); shipwrecks (Art. XIX); tonnage and other duties (Arts. XX-XXIV); pilotage (Art. XXV); customhouse guards (Art. XXVI); ships' papers, manifests, etc. (Art. XXVII); permits for landing, shipping, or transshipment of cargo (Arts. XXVII-XXX); mode of levying duties on goods (Arts. XXXII-XXXIV); reexportation of duty-paid goods, and drawbacks relating thereto (Art. XXXV); smuggling (Arts. XXXVI and XLIV); construction of lighthouses, buoys, or lightships (Art. XXXIX); and standards of weights and measures (Art. XLI).

(g) Portuguese vessels trading with ports not open to commerce are liable to confiscation, together with their cargoes. (Art. XLII.)

(h) Criminals of either country to be brought to justice by their respective authorities (Art. XLV); and likewise fraudulent or absconding debtors (Art. XLIX).

(i) Portuguese jurisdiction of disputes arising between Portuguese in China respecting rights of property or person. (Art. XLVII.)

(j) Crimes committed by subjects of either country against subjects of the other to be punished by authorities of the defendant's nation. (Art. XLVIII.)

(k) Consular intervention in disputes between Chinese and Portuguese subjects. (Arts. L, LI.)

(l) Protection of Portuguese subjects in China teaching or professing the Catholic religion. (Art. LII.)

Treaty with Spain.

No. 241.

Treaty of amity, commerce, and navigation between China and Spain.

SIGNED 10 Oct., 1864, at Tientsin. No time limit stated; but the tariff and commercial articles annexed to the treaty may be revised every 10 years, on six months' notice from either party. (Art. XXIII.)

TEXT: Spanish, Spain Tr. 4:404-15; English (transl.), B. F. S. P. 60:474-84.

I. Most-favored-nation treatment is pledged in general terms to the Government and subjects of Spain regarding all advantages and immunities which China may concede to any other nation. (Art. L.)

Most-favored-nation treatment is further pledged with regard to:

(a) Duties payable by Spanish subjects on all goods exported from or imported into China. (Art. XXI.)

(b) Privileges to be granted to Spanish consular officers in China. (Art. IV.)

(c) Treatment of Chinese merchant vessels trading with the Philippine Islands. (Art. XLVII.)

II. Other provisions.

(a) Full protection in either country for persons and property of subjects of the other. (Art. I.)

(b) Diplomatic agents of either country to enjoy in the other all privileges and immunities conceded to them by the law of nations. (Art. II.)

(c) Specified privileges accorded by either country to ambassadors from the other. (Art. III.)

(d) Right of Spain to appoint consuls at open ports or cities of China. (Art. IV.)

(e) Opening of specified ports to Spanish trade, with right to hire lands and to build houses, hospitals, churches, and cemeteries (Art. V); also storehouses at ports open to commerce (Art. VIII.).

(f) Protection of Spanish subjects in China teaching or professing the Christian religion. (Art. VI.)

(g) Right of Spanish subjects to travel in the interior of China under passports issued by their consuls and countersigned by the local authorities. (Art. VII.)

(h) Right of subjects of either country to employ subjects of the other in any legitimate occupation. (Art. IX.)

(i) Right of Spanish subjects to freight vessels for cargo and passengers. (Art. XI.)

(j) Jurisdiction of disputes regarding rights of persons or property arising between Spanish subjects in China is vested in Spanish authorities exclusively. Disputes between Spaniards, or between Spaniards and other foreigners, to be heard and determined without any intervention of Chinese authorities. (Art. XII.) Crimes committed by subjects of either nation against subjects of the other to be punished by authorities of the defendant's nation. (Art. XIII.) Consular intervention in disputes between Chinese and Spanish subjects. (Art. XIV.)

(k) Protection by Chinese authorities of persons and property of Spanish subjects from insult or damage. (Art. XV.)

(l) Criminals of either nation to be brought to justice by their respective authorities (Art. XVIII.); and likewise fraudulent debtors (Art. XIX.).

(m) Extensive provisions relating to piracy (Art. XVI); shipwrecks (Art. XVII); tonnage duties (Arts. XX and XXV-XXVII); transit dues (Art. XXIV); placing of lights, buoys, or lightships (Art. XXVIII); pilotage (Art. XXXI); customhouse guards (Art. XXXII); ships' papers, bills of lading, etc. (Art. XXXIII); permits for unloading or transshipment of cargo (Arts. XXXIV-XXXVI); port clearances (Art. XXXVII); mode of levying duties on goods (Arts. XXXVIII-XL); reexportation of duty-paid goods, and drawbacks relating thereto (Art. XLI); and prevention of fraud and smuggling (Art. XLII).

(n) Spanish vessels trading with ports not opened by this treaty are liable to confiscation by the Chinese Government, together with their cargoes (Art. XLIII); likewise vessels engaged in contraband traffic (Art. XLV); or carrying arms or munitions of war to rebels or pirates (Art. XLIX).

(o) Right of Spanish vessels to carry Chinese products from one Chinese port to another open to trade, on paying the tariff duties prescribed. (Art. XLIV.)

(p) Right of Spanish warships to visit any Chinese port for purposes named. (Art. XLVIII.)

(q) Detailed provisions concerning forms of official correspondence between Spanish and Chinese authorities. (Art. LI.)

Treaty with Sweden.

No. 242.

*Treaty of commerce and navigation between China and Sweden.*⁹⁴

SIGNED 2 July, 1908, at Peking. Effective from 14 June, 1909, for 10-year periods, subject to revision at the end of any period on six months' notice from either party. (Art. XV.)

TEXT: English (authentic), B. F. S. P. 101: 945-51; Sweden Tr. 1910: 592-8.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting full participation in all privileges, immunities, and advantages which either country may grant to the Government, officers, and subjects of any other treaty power in regard to commerce, navigation, shipping, industries, or property. (Art. XIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All prerogatives, privileges, and immunities accorded by either country to diplomatic representatives. (Art. II.)

(b) Appointment of consular officers, and attributes, authority, privileges, and immunities accorded to them by either country. (Art. III.)

⁹⁴ See also No. 238.

(c) Right of subjects of either country to proceed with their merchandise for purposes of trade to or from any place open to foreign commerce in the other. (Art. IV.)

(d) All privileges and immunities regarding exercise of trade, industries, and other lawful avocations; renting or purchase of houses for residence or business purposes; renting or leasing of lands; building of houses, shops, churches, cemeteries, and hospitals, and employment of Chinese labor in any lawful capacity. (Art. IV and addl. art. 24 May, 1909.⁹⁵)

(e) Duties imposed by either country on articles imported from the other or by subjects of the other. (Art. V.)

(f) Duties payable on articles exported from China by Swedish subjects or to Sweden, and transit duties in China on articles imported by Swedish subjects. (Art. V.)

(g) Treatment of merchant vessels of either country in the other, with special reference to payment of dues, fees, or charges on account of tonnage, and treatment of vessels of either country stranded or wrecked on coasts of the other. (Art. VI.)

(h) Treatment of warships of either country in ports of the other. (Art. VIII.)

II. Other provisions.

(a) The tariff and tariff rules in force between China and the foreign powers shall be applicable to all articles imported into or exported from China by Swedish subjects, and articles imported from or exported to Sweden. (Art. V.)

(b) In case either party is at war with any third power, vessels of either country trading at ports of the other may continue their commerce and transport goods between ports of the belligerent powers, on condition of observing the rules of neutrality with regard to the matters named. (Art. VII.)

(c) Subjects of either country may travel throughout the territories of the other, but passports are required for travel in China under conditions described in detail. (Art. IX.)

(d) Detailed provisions concerning administration of justice in China. (Arts. X, XI.)

(e) Religious freedom is assured to Christian missionaries, Chinese converts, and Swedish subjects in China. (Art. XII.)

(f) Provisions of the treaty of 20 Mar., 1847, between Sweden and China are confirmed, so far as not modified by this treaty. (Art. XIII.)

(g) Both parties reserve the right to conclude agreements regarding frontier trade with neighboring countries, granting advantages subject to special conditions. (Art. XIII.)

⁹⁵ English (authentic), B. F. S. P. 101 : 952.

(h) Agreements, rules, and regulations between China and the treaty powers shall be binding on both parties, so far as applicable and not inconsistent with this treaty. (Art. XIV.)

Treaties with Switzerland.

No. 243.

Treaty of friendship between China and Switzerland.

SIGNED 13 June, 1918, at Tokyo. Ratifications exchanged there 8 Oct., 1919. Duration indefinite.

TEXT: French, B. F. S. P. 111:694-5.

I. Most-favored-nation treatment is reciprocally pledged in general terms as regards the right of either country to appoint diplomatic and consular officers to reside in the other, and the rights, privileges, favors, immunities, and exemptions to be accorded to them in the country of residence. (Art. II.)

II. Other provisions.

(a) Neither country to appoint merchants as consular officers, except in an honorary capacity. (Art. II.)

(b) In case of divergent interpretations of the French and Chinese texts of this treaty, the English text shall decide. (Art. IV.)

No. 244.

Declaration between China and Switzerland concerning most-favored-nation treatment.

SIGNED 13 June, 1918, at Tokyo. Effective until conclusion of a treaty of establishment and commerce.

TEXT: French, B. F. S. P. 111:695.

I. Most-favored-nation treatment is pledged by this declaration with regard to the following matters:

(a) Swiss consuls in China to enjoy the same rights in matters of consular jurisdiction as consular agents of the most-favored nation.

(b) Subjects of either country to enjoy in the other the same privileges and immunities as subjects of the most-favored nation, until conclusion of a treaty of establishment and commerce between the two countries.

II. Other provisions.—When China shall have modified its judicial system, Switzerland will be prepared to renounce the rights of consular jurisdiction in China at the same time as other nations.

Treaties with the United States of America.

Treaties of China with the United States have been previously dealt with in this volume under America, United States of, Nos. 8 to 11.

COLOMBIA.

Treaties with America, United States of, to British Empire.

Treaties of Colombia with the following countries have been previously dealt with in this volume under :

America, United States of, Nos. 12 and 13.

Bolivia, No. 127.

Brazil, No. 137.

Great Britain (under British Empire), No. 147.

Treaty with Ecuador.

No. 245.

Treaty of friendship, commerce, and navigation between Colombia and Ecuador.

SIGNED 10 Aug., 1905, at Quito. Ratifications exchanged there 24 Oct., 1907. Effective as regards all articles relating to commerce and navigation until 24 Oct., 1913, and thereafter until terminated by 12 months' notice from either party. Duration of Articles I, III, and XVI (which deal with political relations) is declared perpetual. (Art. XXVII.)

TEXT: Spanish, Colombia Tr. Pub. 1913:30-6; Martens 90:856-63; English (transl.), B. F. S. P. 99:1012-19.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms with reference to any special privilege relating to commerce or navigation. (Art. XXIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right to enter with ships and cargoes any ports, bays, or rivers open to foreign commerce in either country, subject to the laws and regulations in force. (Art. IV.)

(b) Exceptional prohibitions imposed by either country against importation of products of the other. (Art. X.)

(c) All privileges and immunities accorded to consular officers in either country. (Art. XXII.)

II. National treatment is reciprocally pledged in regard to:

(a) Security and protection in either country for transaction of business and management of affairs, in person or otherwise, subject to the laws and regulations concerning public order and commerce. (Art. IV.)

(b) Tonnage, anchorage, pilotage, beaconage, and all other port dues payable by vessels of either country in ports of the other, including the fees or emoluments of public servants. (Art. V.)

(c) Whatever goods or merchandise may be lawfully imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other without paying other or higher dues of any kind, in any shape or form, than when carried in national vessels (Arts. VI and VIII); except the coasting trade of both countries (Art. VI).

(d) Duties of any kind levied by either country, in any shape or form, on exportation of products of the other. (Art. IX.)

(e) Transport or consumption duties or taxes, whether national, municipal, or local, imposed by either country on articles coming from the other via overland routes. (Art. XI.)

(f) Assistance and protection to each other's warships or merchant vessels in case of damage or shipwreck. (Art. XIII.)

(g) All rights regarding acquisition and administration of landed property in either country, in person or otherwise. (Art. XV.)

(h) Exercise of agricultural, mercantile, or manufacturing industries, and any literary or scientific profession. (Art. XV.)

(i) Conduct of affairs before courts, tribunals, and other authorities, personally or by agents. (Art. XV.)

(j) Right of citizens of either country to continue their business or employment in the other in case of war between the two countries, with special reference to security and protection of their persons and property. (Art. XVI.)

III. Other provisions.

(a) Merchandise in which trade is allowed shall not pay any tax or duty when passing to or from either country by the land frontiers ("land ports"). In other words, neither country may impose export duties on its natural products (including live stock) entering the other, nor duties on products of the same class coming therefrom. (Art. XI.)

(b) Arbitration of differences between the two countries. (Art. III.)

(c) Nationality of vessels to be determined by the laws of each country. (Art. VII.)

(d) Reciprocal exemption of each other's citizens and their ships, vehicles, servants, etc., from arrest or detention for military expeditions or any public or private use, without sufficient indemnity to the interested parties. (Art. XIV.)

(e) Exemption of each other's citizens from military service by land or sea, and from forced loans, war subventions, and all other extraordinary personal contributions. (Art. XV.)

(f) Extensive provisions concerning extradition of criminals, debtors, etc. (Art. II); neutrality and contraband (Arts. XVII-

XX); suppression of the slave trade (Art. XXI); and personal responsibility of each other's citizens for transgressing stipulations of this treaty (Art. XXIV).

Treaty with France.

No. 246.

Convention of commerce, navigation, and establishment between Colombia and France.

SIGNED 30 May, 1892, at Bogota. Effective from 13 Oct., 1893, for an indefinite term, subject to termination on 12 months' notice from either party. (Art. II.)

TEXT: French, B. F. S. P. 84: 136-9; Martens 68: 611-12; Spanish, Colombia Tr. Pub. 1906: 49-50.

Most-favored-nation treatment is reciprocally pledged respecting establishment of each other's nationals, and all matters relating to commerce and navigation, with special reference to importation, exportation, and transit; and generally in everything that concerns customs duties, commercial operations, exercise of commerce and industries, and payment of taxes relating thereto. (Art. I.)

Treaty with Germany.

No. 247.

Treaty of friendship, commerce, and navigation between Colombia and Germany.

SIGNED 23 July, 1892, at Bogota. Effective from 12 July, 1894, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XXVI.)

TEXT: German, Hdv. 1906: 151-60; Spanish, Colombia Tr. Pub. 1906: 22-9; English (transl.), B. F. S. P. 84: 139-47.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting all rights and privileges in matters of commerce, of maritime and inland navigation, and concerning protection of citizens of either country in the other. (Art. XXII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Free and secure entrance, with ships and cargoes, to all places, ports, and rivers open to foreign commerce in either country, including, on condition of reciprocity, any rights and favors which either party may grant in respect of its coasting trade. (Art. II.)

(b) All advantages and immunities respecting customs duties and formalities in either country, with special reference to import duties levied by either country on products of the other. The same principle to be observed as regards export and transit. (Art. XI.)

(c) Any prohibition or restriction which either country may impose on importation or exportation of any article. (Art. XI.)

(*d*) Facilities afforded in ports of either country to steamships of the other maintaining periodical communication between the two countries, whether entering, clearing, or leaving. (Art. XVIII.)

(*e*) Treatment of warships of either country in all ports, rivers, and places in the other to which foreign warships are admitted. (Art. XIX.)

(*f*) All privileges, favors, and immunities accorded by either country to envoys, ministers, and public agents. (Art. XX.)

(*g*) Indemnification of German subjects in Colombia for damages caused by insurgents or savage tribes, under conditions stated. (Explanatory notes to Art. XX.)

(*h*) All rights and favors which either country may accord in consular matters. (Art. XXI.)

(*i*) All rights and favors relating to extradition of convicts and accused persons or to execution of requests in penal matters on condition of reciprocity. (Art. XXIII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(*a*) All general or local taxes, tributes, or obligations of any kind concerning right of citizens of either country to travel, reside, and carry on trade by wholesale or retail in any part of the other, including right to buy, rent, and occupy lands, warehouses, and shops; to export goods and metals; and to receive consignments from any source. (Art. III.)

(*b*) All duties, imposts, or favors concerning employment of agents; purchase and sale of goods of all kinds; loading, unloading, and dispatching of ships; and execution of orders. (Art. III.)

(*c*) Any imposts, burdens, or duties imposed by either country on citizens of the other as regards their real or personal property. (Art. VII.)

(*d*) Navigation dues payable by ships of either country stranded or shipwrecked on coasts of the other or seeking refuge in ports of the other from damage or shipwreck. (Art. XV.)

III. National treatment is reciprocally pledged in regard to:

(*a*) All rights and legal regulations or conditions concerning legal procedure in either country. (Art. IV.)

(*b*) Right of citizens of either country to acquire and possess every kind of real and personal property in the other, and to dispose of the same or succeed thereto by will or otherwise in any lawful manner, including exportation of property or proceeds thereof, with special reference to payment of duties, taxes, or rebates relating thereto. (Art. IX.)

(*c*) Any burdens or duties which either country may impose on property of citizens of the other in case of rupture or war between the two countries. (Art. X.)

(*d*) Tonnage, light, harbor, pilotage, quarantine, and other shipping dues payable by ships of either country entering or leaving ports of the other. (Art. XII.)

(*e*) All duties, burdens, or formalities imposed on goods imported into or exported from either country under the flag of the other, whatever the origin of the goods and from whatever country imported. (Art. XIII.)

(*f*) Any dues payable by ships of either country loading or unloading foreign cargo at different ports of the other. (Art. XIV.)

IV. Other provisions.

(*a*) Citizens of either country are assured complete and continual protection of their persons and property in the other, including access to all tribunals and right of representation therein, under all circumstances. (Art. IV.)

(*b*) Both countries reserve the right to expel, or not to admit, persons who on account of their conduct or bad antecedents may be regarded as harmful. (Art. VI.)

(*c*) Citizens of either country are exempt in the other from all military and political services, and from extraordinary war contributions, forced loans, or military requisitions. (Art. VII.)

(*d*) Ships, cargoes, and other property of citizens of either country are exempt in the other from embargo or extrajudicial detention for military expeditions or any other purposes, without just indemnification therefor. (Art. VII.)

(*e*) Provisions concerning freedom of conscience and of religious worship, and right of burial at suitable places in either country. (Art. VIII.)

(*f*) In case of rupture or war between the two countries private property is exempt from seizure, sequestration, or confiscation. (Art. X.)

(*g*) Assistance and protection to vessels of either country seeking refuge in ports of the other from damage or shipwreck. (Arts. XV, XVI.)

(*h*) Diplomatic agents not to interfere in private claims or grievances except in case of virtual denial of justice, or of clear violation of existing treaties. (Art. XX.)

(*i*) Provision concerning administration by consular officers of estates left by their deceased nationals. (Art. XXI.)

V. Exceptions.—Most-favored-nation provision of Article XXII (noted above under I) do not apply to facilities which either country may grant to bordering States to promote traffic in the frontier districts. (Art. XXII.)

VI. Territorial application.—This treaty extends also to States and districts which may be united with either country in a customs union. (Art. XXV.)

Treaty with Great Britain.

See No. 147.

Treaty with Italy.

No. 248.

Treaty of friendship, commerce, and navigation between Colombia and Italy.

SIGNED 27 Oct., 1892, at Bogota. Effective from 10 Oct., 1894, for 10 years, and thereafter terminable on 12 months' notice from either party. (Art. XXVIII.)

TEXT: Italian, Italy Tr. 13: 183-98; Martens 72: 308-17; Spanish, Colombia Tr. Pub. 1906: 62-72; English (transl.), B. F. S. P. 84: 206-14.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) in regard to:

(a) Free and secure entrance with ships and cargoes to all places, ports, and rivers of either country open to foreign commerce and navigation, including any rights or favors exceptionally granted by either country in respect of its coasting trade. (Art. II.)

(b) All advantages and immunities concerning customs duties, with special reference to duties levied by either country on importation of products of the other. (Art. XI.)

(c) All advantages and immunities accorded by either country in regard to exportation or transit. (Art. XI.)

(d) Any prohibitions or restrictions imposed by either country on importation or exportation of any articles to or from the other, except Government monopolies of either country. (Art. XI.)

(e) Any customhouse formalities exacted by either country with regard to goods imported or exported. (Art. XI.)

(f) All facilities for entrance, clearance, and departure of steamers of either nationality maintaining periodical communication between the two countries. (Art. XIX.)

(g) Right of warships of either country to enter, remain, or undergo repairs in ports, rivers, and places of the other. (Art. XX.)

(h) All privileges, exemptions, and immunities accorded to diplomatic agents in either country. (Art. XXI.)

(i) All rights and favors granted by either country in consular matters. (Art. XXII.)

(j) All rights and favors granted by either country concerning commercial and maritime matters, navigation of inland waters, protection of persons, except facilities granted exclusively to bordering countries to favor traffic in the frontier zone. (Art. XXV.)

(k) All rights and favors concerning extradition of criminals or accused persons, and requisitions in criminal cases. (Art. XXVI.)

II. National treatment is reciprocally pledged in respect to:

(a) Entrance to and residence in any part of either country, and right to travel or trade there by wholesale or retail; to buy houses, shops, warehouses, and other possessions and to rent and occupy the same; to transport and export merchandise and metals, and to re-

ceive consignments, native or foreign; also all taxes, tributes, or obligations of whatever nature relating to any of these. (Art. III.)

(*b*) Complete and continual protection of persons and property, and all rights relating to judicial proceedings, access to courts of justice, and gratuitous judicial assistance under conditions stated. (Art. IV.)

(*c*) All charges, tributes, or taxes levied by either country on account of real and personal property. (Art. VII.)

(*d*) Acquisition, possession, and disposal of, or succession to, property of all kinds in any manner whatever, by will or otherwise, and all taxes, rebates, or tributes relating thereto. (Art. IX.)

(*e*) Any embargo, sequestration, taxes, or contributions of any kind imposed on property of each other's citizens in case of rupture or war between the two countries. (Art. X.)

(*f*) All duties for tonnage, lighthouse, port, pilotage, quarantine, or other charges imposed on vessels of either country entering or leaving ports of the other. (Art. XII.)

(*g*) All duties and formalities imposed by either country on any articles imported or exported under the flag of the other, from whatever place arriving and for any destination. (Art. XIII.)

(*h*) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage, and all duties relating thereto (Art. XIV); but coasting trade is expressly excepted (Art. II).

(*i*) Navigation taxes payable in either country by ships of the other seeking refuge from damage or shipwreck, the merchandise landed being exempt from payment of duties unless cleared for consumption. (Art. XV.)

(*j*) Reciprocal protection to each other's citizens in all that concerns ownership of inventions or industrial discoveries, and of trade or industrial marks and labels, subject to observing the laws and regulations of the country. (Art. XXIII.)

(*k*) Italians voluntarily supporting rebellion in Colombia may be subjected to equal treatment with natives in all that concerns legal responsibility for their actions. (Art. V.)

III. Other provisions.

(*a*) Citizens of either country are exempt in the other from all personal military service by land or sea, and from obligation to accept political, judicial, or administrative offices (Art. V); also, from extraordinary war contributions, forced loans, military requisitions, and military or political service of any kind (Art. VII).

(*b*) Vessels and other effects of citizens of either country are exempt in the other from confiscation, embargo, etc., for military or other purposes, unless full indemnity is paid. (Art. VII.)

(c) Citizens of either country must not interfere in political or domestic struggles of the other (Art. V); both countries reserve the right to expel, or not to admit, persons who may be considered pernicious, for reasons cited (Art. VI).

(d) Mutual guarantees relating to freedom of conscience, security of religious worship, and burial of the dead. (Art. VIII.)

(e) In case of rupture or war between the two countries, citizens of either country may continue their trade or profession in the other so long as they conduct themselves peaceably and are not obnoxious to public order; their private property of every kind to be exempt from embargo, sequestration, or confiscation. (Art. X.)

(f) Nationality of vessels to be determined by laws of each country. (Art. XVIII.)

(g) Diplomatic agents not to intervene in private claims or complaints regarding civil, criminal, or administrative questions, except in cases involving denial of justice, express violation of existing treaties, or violation of international law, public or private. Colombia can not be held responsible for injuries suffered by Italians from insurgents or savage tribes during insurrections or civil war, except in case of established fault or want of diligence on the part of the authorities concerned. (Art. XXI.)

(h) Administration by consular officers of estates of their deceased nationals. (Art. XXII.)

(i) Arbitration of disputes relating to interpretation or execution of this treaty. (Art. XXVII.)

Treaty with Japan.

No. 249.

Treaty of friendship, commerce, and navigation between Colombia and Japan.

SIGNED 25 May, 1908, at Washington. Ratifications exchanged there 11 Dec., 1908. Duration indefinite, subject to termination on six months' notice from either party. (Art. XII.)

TEXT: English (authentic), B. F. S. P. 101:955-8; Martens 88:286-90; Spanish, Colombia Tr. Pub. 1913:202-9; Spanish and English, Japan Tr. 1918:175-83.

I. Most-favored-nation treatment (as defined) is reciprocally but conditionally pledged in respect of any favor, privilege, or immunity whatever in matters relating to commerce, navigation, trade, occupation, travel through or residence in the territories and possessions of either country (Art. IV); except the coasting trade of both countries, which is regulated by their respective laws (Art. VIII).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All rights, privileges, exemptions, and immunities to be accorded to diplomatic and consular officers. (Art. II.)

(b) Right to enter, freely and securely, with ships and cargoes, all places, ports, rivers, and straits in each other's territories or possessions; to hire and occupy houses and warehouses, and to trade by wholesale or retail in all kinds of merchandise of lawful commerce. (Art. III.)

(c) Duties imposed by either country on products of the other, whether destined for consumption, warehousing, reexportation, or transit. (Art. V.)

(d) Duties or charges imposed by either country on exportation of any article to the other. (Art. V.)

(e) Any prohibitions imposed by either country against importation or transit of products of the other, or against exportation of any articles to the other. (Art. V.)

(f) Everything relating to transit, warehousing, bounties, facilities, drawbacks, reexports, and transit duties. (Art. VI.)

(g) Duties or charges on account of tonnage, light, harbor, pilotage, quarantine, salvage, and all similar duties or charges of whatever nature, no matter by whom or how levied, imposed in any of the ports, rivers, or straits of either country on ships of the other. (Art. VII.)

(h) All privileges, immunities, and exemptions relating to billeting of soldiers, compulsory military service by land or sea, contributions of war, military exactions, or forced loans. (Art. XI.)

II. National treatment is reciprocally pledged regarding protection of persons and property; also access to courts of justice and employment of advocates or others therein. (Art. X.)

III. Other provisions.—Citizens of either country to enjoy in the other complete liberty of conscience, right of private or public exercise of religious worship, and right of burial according to religious customs in suitable and convenient places established and maintained for the purpose; subject to the laws and regulations in force. (Art. X.)

Treaty with the Netherlands.

No. 250.

Treaty of friendship, navigation, and commerce between Colombia and the Netherlands.

SIGNED 1 May, 1829, at London. Duration indefinite. Terminable on 12 months' notice from either party. (Art. XXV.)

TEXT: Dutch and Spanish, B. F. S. P. 17: 895-906; Columbia Tr. Pub. 1883: 130-9; Lagemans 2: 219-28; French (transl.), B. F. S. P. 17: 906-11.

I. Most-favored-nation treatment is reciprocally pledged in regard to:

(a) Free and secure entrance, with ships and cargoes (including warships) to all places, ports, and rivers in Colombia and in Euro-

pean possessions of the Netherlands; also right to reside there and to lease and occupy houses, shops, and other premises for commercial purposes, with complete protection and security of persons and property; subject to the laws and regulations in force. (Arts. II, III.)

(b) Colombia's right to trade and navigate freely in all Dutch possessions outside of Europe, with the same privileges granted to other nations in accordance with the general principles of the Dutch colonial system (Art. IV), on condition that vessels arriving from the Dutch colonies are admitted to Colombian ports on the same terms as those coming from Holland (Art. V).

(c) All duties imposed in ports of either country on ships of the other for tonnage, lighthouse, harbor, pilotage, salvage, or other such general or local charges. (Art. VII.)

(d) Duties payable on products of either country imported or exported under its own flag. (Art. VIII.)

(e) Customs duties levied by either country on imported products of the other, and on exports to the other. (Art. X.)

(f) Any prohibitions established by either country against importation or exportation of any articles to or from the other. (Art. X.)

(g) All prerogatives, exemptions, and immunities accorded to diplomatic or consular officers in either country (Art. XXIV); including Dutch colonies (Conv. of 20 July, 1881⁹⁶).

II. National treatment is reciprocally pledged in regard to:

(a) Subjects of either country may conduct any business in the other, personally or otherwise, without paying higher remuneration to persons employed than natural citizens pay; and may freely determine prices of any articles in buying or selling, subject to laws and established customs of the country. (Art. XI.)

(b) All rights and privileges concerning police of ports, loading and unloading of vessels, and security of merchandise, goods, and effects. (Art. XII.)

(c) Protection and assistance to vessels in case of damage or shipwreck. (Art. XIII.)

(d) All prerogatives and liberties regarding protection of persons, homes, and property; access to courts and representation therein; disposal of or succession to property of any kind by will or otherwise; and all imposts, duties, or charges relating to any of these. (Art. XIV.)

III. Other provisions relate to:

(a) Exemption of each other's citizens from compulsory military service by land or sea. (Art. XIV.)

⁹⁶ French, B. F. S. P. 72: 865-9.

(b) Freedom of conscience, religious belief and worship, and right of burial in accordance with national custom. (Art. XV.)

(c) In case of rupture or war between the two countries citizens of either may continue their business or employment in the other without any interruption so long as they behave peaceably and observe the laws. (Art. XVI.)

Treaty with Portugal.

No. 251.

Treaty of friendship, commerce, navigation and extradition between Colombia and Portugal.

SIGNED 9 Apr., 1857, at Washington. Effective from 24 Aug., 1865, for six years, and thereafter until terminated by 12 months' notice from either party; except Article I (peace and friendship), which is declared perpetual. (Art. XXII.)

TEXT: Spanish and Portuguese, Colombia Tr. Pub. 1883:140-55; English (transl.), B. F. S. P. 75:1258-67.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms (subject to exceptions noted below), regarding any favor, privilege, or exemption with respect to commerce and navigation. (Art. X.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Access with ships and cargoes to all ports, rivers, and cities open to foreign commerce⁹⁷ in either country. (Art. II.)

(b) All duties imposed by either country on importation of products⁹⁷ of the other. (Art. IV.)

(c) All duties, imposts, or taxes of any kind levied by either country on products⁹⁷ of the other for transit by rivers, canals, or roads. (Art. IV.)

(d) Any prohibitions imposed by either country against importation of products of the other, or exportation of its own products⁹⁷ to the other. (Art. IV.)

(e) Duties imposed by either country on exportation of any goods⁹⁷ to the other. (Art. IV.)

(f) All favors, immunities, and exemptions accorded by either country to envoys, ministers, and diplomatic agents. (Art. XIII.)

(g) All powers, rights, immunities, and prerogatives accorded in either country to consular officers. (Art. XIV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged to citizens of either country respecting the right to conduct their affairs, personally or by agents, in all ports of the other open to foreign commerce; with special reference to consign-

⁹⁷ Subject to exceptions noted below under V.

ments; trade by wholesale or retail, and loading, unloading, or dispatching of ships. (Art. VII.)

III. National treatment is reciprocally pledged in respect to:

(a) Protection of persons and property of citizens of either country traveling, residing, or conducting their business in the other. (Art. II.)

(b) All dues, imposts, or charges on account of tonnage, lightage, pilotage, quarantine, salvage, and similar dues of whatever nature, payable by vessels of either country entering ports of the other, whether laden or in ballast. (Art. III.)

(c) All duties levied, and all favors, discounts, and privileges conceded by either country on importation of products⁹⁷ of the other, whether carried in vessels of either nation. (Art. V.)

(d) Any merchandise⁹⁷ which can be legally exported or transshipped from the ports of either nation in its own vessels to any foreign country⁹⁷ may likewise be exported or transshipped in vessels of the other, without paying other or higher dues or imposts of any kind than when carried in national vessels. (Art. VI.)

(e) All duties or charges payable by vessels of either country loading or discharging foreign cargoes at different ports of the other on the same voyage; but coasting trade is exclusively reserved for the national flags. (Art. IX.)

(f) All duties or charges payable in either country by citizens of the other on disposal of, or succession to, personal property, by will or otherwise, including export of proceeds if sold in circumstances stated. (Art. XVII.)

(g) Protection of each other's citizens, including open access to courts of justice on the same terms, usages, and customs applying to native citizens. (Art. XVIII.)

IV. Other provisions.

(a) Exemption of each other's citizens, and their ships, effects, etc., from detention or employment for any military expedition, or other public or private purpose, without full indemnity paid. (Art. VIII.)

(b) Nationality of ships determined by ships' papers required by national laws. (Art. IX.)

(c) Assistance and protection to vessels of either country seeking refuge in the other from pirates, damage, or shipwreck. (Art. XI.)

(d) Exemption of consular officers of either country from all public service and from personal taxation in the other, and exemption of consular archives and papers from seizure or interference by any magistrate or other person, in any manner whatever. (Art. XV.)

⁹⁷ Subject to exceptions noted below under V.

(e) Local authorities to assist consular officers in recovery of seamen deserters. (Art. XVI.)

(f) Extensive stipulations relating to piracy (Art. XII); extradition of criminals (Art. XIX); prohibition of external traffic in slaves (Art. XX); personal responsibility of each other's citizens infringing any article of this treaty (Art. XXI, 1); and arbitration of disputes between the two countries (Art. XXI, 4).

(g) This treaty (concluded with New Granada) is expressly made binding on the newly formed United States of Colombia. (Protocol, 24 Aug., 1865,⁹⁸ sec. 1.)

(h) Enumeration of ports in Portuguese possessions beyond the seas to which foreign ships are admitted by Portuguese legislation, and enumeration of articles not allowed to be imported into said possessions, except when of Portuguese production and shipped in Portuguese vessels. (Ibid.)

V. Exceptions.

(a) The stipulation of Article II (see I *a* above) is not applicable to Portuguese provinces beyond the seas in which commerce is not legally permitted to all foreigners. (Notes attached.)

(b) The stipulations of Articles IV, V, and VI (see I *b-e*, and III *c-d* above) shall never be applied to merchandise the importation of which into Portuguese provinces beyond the seas is prohibited to foreign trade. (Ibid.)

Treaty with Spain.

No. 252.

Treaty of peace and friendship between Colombia and Spain, and treaty additional thereto.

TREATY SIGNED 30 Jan., 1881, at Paris. Duration indefinite. Additional treaty, signed 28 Apr., 1894,⁹⁹ is terminable by 12 months' notice from either party (Art. XI).

TEXT: Spanish, Columbia Tr. Pub. 1883: 159-60; English (transl.), B. F. S. P., 72: 1216-17.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting all advantages and exemptions to be accorded in territories, canals, and ports of either country to citizens, ships, or merchandise of the other. (Art. IV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All privileges, exemptions, and immunities accorded to diplomatic and consular agents by either country. (Art. II.)

(b) Navigation and transit and all that concerns establishment of each other's nationals in either country. (Addl. tr.,⁹⁹ Art. VIII.)

⁹⁸ English, B. F. S. P. 86: 572-5.

⁹⁹ Spanish, Martens 83: 575-7.

II. National or most-favored-nation treatment is reciprocally pledged in regard to equitable compensation for damages, vexations, or exactions suffered by citizens of either country from insurgents, seditions, or riots in the other, but only when the tribunals of the country admit governmental responsibility in the matter. (Addl. tr.,⁹⁹ Art. IV.)

III. National treatment is reciprocally pledged in respect to:

(a) All rights relating to liberty, security, and protection of persons and property, administration of justice, and distribution of taxes, imposts, or other burdens in either country. (Art. III.)

(b) Treatment of each other's citizens taking part in civil struggles in either country, such as seditions, rebellions, civil wars, or usurpation of political rights or offices. (Addl. tr.,⁹⁹ Arts. III and V.)

(c) All civil rights and penal responsibilities in either country. (Addl. tr.,⁹⁹ Art. VI.)

(d) Validity in either country of certificates of study and of professional diplomas granted in the other, and right to practice professions to which they relate; subject to the taxes, duties, and regulations in force. (Addl. tr.,⁹⁹ Art. X.)

III. Other provisions.

(a) Exemption of each other's citizens from all compulsory military service by land or sea, and from all contributions or imposts relating thereto. (Art. III.)

(b) Arbitration of disputes concerning interpretation of treaties between the two countries. (Addl. tr.,⁹⁹ Art. I.)

(c) Citizens of either country have no right in the other to diplomatic intervention, except in case of manifest denial of justice, or refusal or negligence in its administration. (Addl. tr.,⁹⁹ Art. VI.)

(d) Either country may expel, or refuse to admit, persons considered pernicious because of their evil life or conduct. (Addl. tr.,⁹⁹ Art. VII.)

Treaty with Switzerland.

No. 253.

Treaty of friendship, establishment, and commerce between Colombia and Switzerland.

SIGNED 14 Mar., 1908, at Berne. Ratifications exchanged 24 June, 1909, at Paris. Effective from 2 Oct., 1909, for indefinite term, subject to 12 months' notice of termination from either party. (Art. VII.)

TEXT: B. F. S. P. 101:958-9; Martens 89:241-2; Spanish, Colombia Tr. Pub. 1913:222-5.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all rights or advantages concerning commerce, customs, and navigation, consulates, establishment, exercise of com-

⁹⁹ Spanish, Martens 83:575-7.

mercial and industrial professions, and taxes relating thereto, protection of industrial property as defined, and (subject to the conditions established by the laws of each State) protection of property in scientific, literary, or artistic productions. (Art. II.)

II. Other provisions.

(a) Citizens of either country desiring to establish themselves in the other must present evidence of nationality in the form of birth certificates or passports. (Art. III.)

(b) Both countries reserve the right to exclude nationals of the other who on account of their antecedents or conduct may be considered dangerous. (Art. IV.)

(c) Mutual protection of each other's citizens regarding freedom of conscience and religious belief, exercise of religion in churches or other places devoted to religious service, and burial of the dead with suitable decorum and respect. (Art. V.)

(d) Citizens of either country residing in the other remain subject to the laws of their native State as regards military service or contributions in lieu thereof, and consequently are exempt in the State of their residence in these respects.

Treaties with the United States of America.

Treaties of Colombia with the United States have been previously dealt with in this volume under America, United States of, Nos. 12 and 13.

CONGO.

Treaties with China.

Treaties of Congo with China have been previously dealt with in this volume under China, No. 227.

COREA.

Treaties with Japan.

Treaties of Corea with Japan have been dealt with in this volume under Japan, No. 374.

COSTA RICA.

Treaties with America, United States of, to British Empire.

Treaties of Costa Rica with the following countries have been previously dealt with in this volume under:

America, United States of, No. 14.

Great Britain (under British Empire), No. 148.

Treaty with France.

No. 254.

Commercial convention between Costa Rica and France.

SIGNED 7 June, 1901, at San Jose de Flores. Ratifications exchanged 10 Feb., 1902, at Paris. Terminable on 12 months' notice by either party. (Art. IV.)

TEXT: French, B. F. S. P. 94: 586-7; Spanish and French, Costa Rica Tr. 1907: 97-9.

I. Most-favored-nation treatment is reciprocally pledged respecting customs duties which either country may impose on importation of products of the other; except that Costa Rica may give preference to products of other Central American Republics. (Arts. I, II.)

II. Other provisions.—Certificates of origin to be visés by the respective consuls free of consular fees. (Art. III.)

III. Application to colonies, etc.—This convention applies to Algeria, the French colonies and possessions, and the protectorates of Indo-China and Tunis. (Arts. I, II.)

Treaty with Great Britain.

See No. 148.

Treaty with Spain.

No. 255.

Treaty of recognition, peace, and friendship between Costa Rica and Spain.

SIGNED 10 May, 1850, at Madrid. Duration indefinite.

TEXT: Spanish, Costa Rica Tr. 1907: 29-34; English (transl.), B. F. S. P. 39: 1340-6.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting all concessions and favors relating to commerce and navigation. (Art. XII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Duties and port dues levied by either country on merchandise imported from or exported to the territories of the other. (Art. XII.)

(b) All conditions and obligations (conformably to the laws of the country) relating to exercise of trades and professions; or regarding possession, disposal, purchase, and sale by wholesale or retail of property of all kinds, movable or immovable, or succession thereto by will or otherwise, including export of proceeds if sold. (Art. X.)

(c) All ordinary taxes payable on account of trade, business, or property in either country. (Art. XI.)

(d) All franchises, privileges, and immunities accorded to diplomatic and consular agents by either country. (Art. XIV.)

II. National treatment.—In case interoceanic communication is established through territory of Costa Rica, the Spanish flag and merchandise shall enjoy free transit, on the same terms and without paying other or higher dues than citizens, vessels, and merchandise of Costa Rica. (Art. XIII.)

III. Other provisions.—Exemption of each other's citizens from compulsory military service by land or sea, and from all extraordinary taxes, contributions, or forced loans. (Art. XI.)

Treaties with the United States of America.

Treaties of Costa Rica with the United States have been previously dealt with in this volume under America, United States of, No. 14.

CUBA.

Treaties with America, United States of, to Austria.

Treaties of Cuba with the following countries have been previously dealt with in this volume under :

America, United States of, No. 15.

Austria, No. 63.

Treaty with Germany.

See Treaty of Versailles, No. 314.

Treaty with Italy.

No. 256.

Treaty of peace, commerce, navigation, emigration, and arbitration between Cuba and Italy.

SIGNED 29 Dec., 1903. at Havana. Effective from 2 Dec., 1904, for 10 years and thereafter until terminated by 12 months' notice from either party. (Art. XXIX.)

TEXT: Italian, Italy Tr. 1911, I: 290-8; Spanish, Cuba Conv. 1903-1908: 135-48; English (transl.), B. F. S. P. 96: 370-8.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any privilege, favor, or immunity of whatever nature which either party may grant to subjects of any other State in matters relating to commerce and navigation. (Arts. II and XXIII.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Treatment by either country of imported products of the other, whether intended for consumption, warehousing, reexportation, or transit; with special reference to payment of duties, whether general, municipal, or local. (Art. III.)

(b) Duties imposed by either country on exportation of any merchandise to the other. (Art. III.)

(c) Treatment of citizens of either country in the other with reference to local dues, customs formalities, brokerage, models, or samples introduced by commercial travelers, and all other matters relating to commerce. (Art. III.)

(*d*) Any prohibitions which either country may establish against the other regarding importation, exportation, reexportation, or transit, except in the following cases:

(1) Special legislation of either country prohibiting transit of certain articles.

(2) Transit of arms and munitions of war.

(3) Sanitary measures to prevent spread of cattle disease, or loss of crops.

(4) Incidents arising from war. (Art. III.)

(*e*) Liberty of commerce and navigation in cities, ports, rivers, and places of either country open to foreign subjects or vessels. (Art. IV.)

(*f*) Treatment of subjects of either country in the other with reference to literary and artistic property. (Art. IV.)

(*g*) Acquisition or possession of real estate in either country. (Art. VIII.)

(*h*) Application to each other's citizens of the laws of the country of residence, especially those which determine the rights and obligations of foreigners. (Art. VIII.)

(*i*) All privileges, favors, and immunities granted to diplomatic agents in either country. (Art. XII.)

(*j*) All dues payable by vessels of either country in ports of the other, such as tonnage, port, lighthouse, pilotage, quarantine, or other dues affecting the vessels themselves. (Art. XIV.)

(*k*) All privileges, favors, or advantages relating to local treatment of vessels of either country in the other, such as stationing, loading, and unloading of vessels, contributions or taxes in the ports, slips, docks, roadsteads, bays, and rivers of either country, and generally all formalities and arrangements affecting merchant vessels and their crews or cargoes. (Art. XIV.)

(*l*) Duties payable by vessels of either country loading or unloading foreign cargo in different ports of the other on the same voyage; but coasting trade is excepted. (Art. XVI.)

(*m*) Right of warships of either country to enter ports of the other, and all rules, honors, advantages, privileges, and exemptions relating thereto. (Art. XXI.)

(*n*) All privileges, immunities, and favors to be accorded to mail boats of either country in ports of the other. (Art. XXII.)

(*o*) All rights, privileges, and immunities which either country may accord to consular officers. (Art. XXIV.)

II. National or most-favored-nation treatment (at claimant's option) is reciprocally pledged regarding charges or taxes payable by citizens of either country in the other on account of their property, real or personal. (Art. IX.)

III. National treatment is reciprocally pledged with regard to:

(a) Right of residence and travel in all territories and possessions of either country, with full protection and security for persons and property, except that both Governments reserve the right to expel pernicious foreigners. (Art. IV.)

(b) Right to engage in industry and trade by wholesale or retail and to rent or acquire houses, warehouses, establishments, or lands; to transport merchandise and bullion and to receive consignments from the interior and from abroad; and payment of duties or licenses relating thereto. (Art. IV.)

(c) Freedom to buy, sell, and fix prices of imported or exported merchandise of any kind, subject to the laws and regulations of the country. (Art. IV.)

(d) Right to manage affairs in either country personally or by agents, with special reference to customhouse declarations, and loading, unloading, or fitting out vessels. (Art. IV.)

(e) Any charges, contributions, duties, or taxes payable by citizens of either country in the other. (Art. IV.)

(f) All rights relating to patents of inventions, labels, trademarks, and designs. (Art. IV.)

(g) Treatment of citizens of either country in the other as regards exemption of their dwellings, factories, warehouses, stores, and other premises used for residence or commerce from domiciliary visits or search, and exemption of their books, papers, and accounts from inspection or examination, except under conditions and with formalities prescribed by law for natives of the country. (Art. V.)

(h) All rights, privileges, and exemptions relating to protection of persons and property, open access to courts of justice, and employment of advocates or other agents therein. (Art. VI.)

(i) Right of citizens of either country to acquire, possess, and transfer personal property in the other by will or otherwise in any manner, and all dues incidental thereto, and to succeed to real or personal property, personally or by attorney in the same manner as natives of the country, without paying other or higher dues of succession or transfer than native citizens pay. (Art. VIII.)

(j) Liability of citizens of either country for payment of military requisitions, loans, or contributions in the other when imposed on the real estate of the country. (Art. IX.)

(k) Any charges or taxes payable by citizens of either country on their goods or property in the other in case of war or conflict between the two countries. (Art. XI.)

(l) Treatment of warships or merchant vessels of either country stranded or wrecked in territory of the other, with special reference to payment of salvage and other expenses, and duties payable on salvaged merchandise cleared for consumption. (Art. XIX.)

IV. Other provisions.

(a) Judicial assistance is assured in either country to indigent citizens of the other. (Art. VII.)

(b) Citizens of either country are exempt in the other from all personal military service by land or sea, and from all forced loans and military exactions or contributions, except as noted above under III j. (Art. IX.)

(c) In case of conflict or war between the two countries, citizens of either may remain and continue their business or profession in the other so long as they conform to the laws of the country, their goods or property being exempt from any embargo or sequestration. In case their conduct necessitates removal from the country, sufficient time must be given them to arrange their affairs. (Art. XI.)

(d) Diplomatic agents of either country shall not intervene in case of claims or complaints of private individuals, except for virtual denial of justice or express violation of treaties or of precepts of international law, public or private. (Art. XII.)

(e) Neither country to be held responsible for losses, molestations, or exactions suffered by citizens of the other from rebels in time of insurrection or civil war, except in cases of neglect or want of vigilance on the part of the authorities concerned. (Art. XII.)

(f) In everything relating to police of ports, loading and unloading of ships, and protection of merchandise and goods, citizens of either country are subject to the local laws and ordinances. (Art. XIII.)

(g) Navigation, tonnage, and other dues payable by vessels of either country in ports of the other shall be collected according to the certificates of registry. (Art. XV.)

(h) Extensive provisions concerning treatment of vessels of either country seeking refuge in ports of the other from damage or shipwreck. (Art. XIX.)

(i) Nationality of vessels to be determined in accordance with ships' papers required by the laws of each country. (Art. XX.)

(j) Whenever Italian immigrants are engaged under contract for service in Cuba, the Cuban Government undertakes to see that the contracts proposed are equitable and scrupulously carried out, and to punish severely those who in any way cheat or take advantage of Italian immigrants. (Art. XXV.)

(k) Arbitration of controversies concerning interpretation or execution of this treaty, and statement of procedure relating thereto. (Art. XXVII.)

V. Exceptions.—The provisions of this treaty do not apply to:

(a) The coasting trade and fishing industry of either country, which are reserved for regulation by their respective laws. (Arts. XVI, XVII.)

(b) Special reductions of customs duties which Cuba may grant to the produce of other American States exclusively. (Art. XXVIII).

VI. Application to Italian colonies.

(a) This treaty is applicable to those foreign possessions or colonies of Italy in whose favor six months' notice to that effect has been given to Cuba. (Art. XXVI.)

(b) Cuban citizens shall enjoy in the colonies and possessions of Italy the same rights and privileges and the same liberty of commerce and navigation as may be conceded to subjects of the most-favored nation. (Art. XXIII.)

(c) The inhabitants of the colonies and possessions of Italy shall enjoy the same rights and privileges and the same liberty of commerce and navigation as are by this treaty conceded in Cuba to Italians and their commerce and vessels. (Ibid.)

Treaties with the United States of America.

Treaties of Cuba with the United States have been previously dealt with in this volume under America, United States of, No. 15.

CZECHOSLOVAKIA.

Treaties with Austria to Bulgaria.

Treaties of Czechoslovakia with the following countries have been previously dealt with in this volume under:

Austria, No. 63.

Bulgaria, No. 210.

Treaty with the Principal Allied and Associated Powers.

No. 257.

Treaty between the principal Allied and Associated Powers and Czechoslovakia.

SIGNED¹⁰⁰ 10 Sept., 1919, at St. Germain. Effective from 16 July, 1920, for indefinite term; but specified time limits are placed on operation of certain articles of the treaty. (Art. 21.)

CONTRACTING STATES: The following powers have ratified the treaty: British Empire, France, Japan, and Czechoslovakia.

TEXT: English, G. B. T. S. 1919, No. 20, Cmd. 479.

I. Most-favored-nation treatment is reciprocally pledged as between Czechoslovakia and each of the contracting States regarding all facilities, privileges, exemptions, and immunities of every kind granted to consular officers. (Art. 15.)

II. National and most-favored-nation treatment.—Pending conclusion (under auspices of the League of Nations) of general conventions on the matters named, Czechoslovakia assures national and most-favored-nation treatment, on condition of reciprocity (Art. 19¹⁰¹), to all the Allied and Associated States, and to all States members of the League of Nations (Art. 21), in respect to:

(a) Treatment of vessels of all said States which accord similar treatment to Czechoslovak vessels. (Art. 18.)

(b) Freedom of transit for persons, goods, vessels, carriages, wagons, and mails in transit to or from any of said States over Czechoslovak territory, including territorial waters; with special reference to facilities, charges, restrictions, and all other matters. (Art. 19.¹⁰¹)

¹⁰⁰ Signed by the following Powers: America, United States of, British Empire, France, Italy, Japan, and Czechoslovakia.

¹⁰¹ This article is terminable after 16 July, 1925, as noted below under IV.

III. Other provisions.—Czechoslovakia undertakes and agrees:

(a) To make no treaty, convention, or arrangement, and to take no other action, which will prevent her from joining in any general convention for the equitable treatment of the commerce of other States, which may be concluded under auspices of the League of Nations before 16 July, 1925. (Art. 17.)

(b) To extend to all the Allied and Associated States, and to States members of the League of Nations (Art. 21), any favors or privileges in customs matters which she may grant before 16 July, 1925, to any State with which since August, 1914, the Allies have been at war; except favors and privileges which may be granted under the special customs arrangements provided for in Article 222 of the treaty with Austria. (Art. 17.)

(c) Pending establishment of an import tariff by Czechoslovakia, goods originating in the Allied and Associated States shall not be subject to higher duties on importation into Czechoslovakia than the most favorable rates of duty applicable to goods of the same kind under the Austro-Hungarian customs tariff on 1 July, 1914. (Art. 16.)

(d) That goods in transit through Czechoslovak territory, including territorial waters, shall be exempt from all customs or other duties; and that freedom of transit shall extend to postal, telegraphic, and telephonic services. (Art. 19.)

(e) That all rights and privileges accorded by this treaty to the Allied and Associated States shall be accorded equally to all States members of the League of Nations. (Art. 21.)

(f) To adhere before 16 July, 1921, to specified general international conventions, and to adhere to any new convention concluded with approval of the Council of the League of Nations before 16 July, 1925, to replace any of those specified. (Art. 20.)

(g) To protect by effective measures the industrial, literary, and artistic property of nationals of the Allied and Associated States in circumstances named, on condition of reciprocity. (Art. 20.)

(h) To assure full and complete protection of life and liberty to all inhabitants of Czechoslovakia without distinction of birth, nationality, language, race, or religion (Art. 2). Differences of religion, creed, or confession shall not prejudice any Czechoslovak national in matters relating to civil or political rights, as for instance admission to public employments, functions, and honors, or the exercise of professions or industries. (Art. 7.)

(i) That the stipulations of this treaty, so far as they affect persons belonging to racial, religious, or linguistic minorities, constitute obligations of international concern, and shall be placed under the guarantee of the League of Nations, as described in detail. (Art. 14.)

IV. Note.—If no general convention to secure and maintain freedom of communications and of transit is concluded under auspices of the League of Nations before 16 July, 1925, Czechoslovakia may at any time thereafter terminate the obligations of Article 19 (noted under II. II *b*, and III *d* above) by 12 months' notice in manner stated. (Art. 19.)

Treaty with France.

No. 258.

Commercial convention between Czechoslovakia and France.

SIGNED 4 Nov., 1920, at Paris. Put into effect by French presidential decree of 28 Apr., 1921 (J. O. 2 May, 1921). Effective for one year, and thereafter for successive periods of six months by tacit renewal, unless denounced by either party six months before the close of the first year and three months before expiration of any subsequent six-monthly period. (Art. 20.)

TEXT: French, J. O. 2 May, 1921: 5316-22.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below under V *a*) with regard to any favor, privilege, or reduction of duties which either country may accord to another power respecting dues for octroi, excise, and all accessory and local duties on importation, exportation, reexportation, transit, and warehousing of any merchandise, whether mentioned or not in this convention. (Art. 13.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(*a*) All duties, taxes, surtaxes, or augmentations thereof which Czechoslovakia may impose, under whatever name, on importation of products originating in and coming from France or French colonies and possessions; or on importation of tobacco and certain food products and raw materials of whatever origin when imported into Czechoslovakia from any country by French houses. (Art. 1, and List D.)

(*b*) All duties, taxes, surtaxes, or augmentations thereof payable in France or French colonies and possessions, under whatever name, on importation of specified Czechoslovak products when imported from Czechoslovakia. (Art. 2, and List A.)

(*c*) Application of percentage reductions of import duties to be accorded to Czechoslovak products enumerated in List B annexed to this convention; except as noted below under V *a*, 2. (Art. 3.)

(*d*) All duties and taxes payable on exportation of products exported from territories of either country to territories of the other; subject to exceptions noted below under V *a*, 1 and 2. (Art. 4.)

(*e*) Any prohibition which either country may impose or maintain, even temporarily, against importation of products of any kind originating in and coming from the other. (Art. 6.)

(f) Application of conditions concerning official price control. Whenever either party may subject importation or exportation of certain products or merchandise to price control by governmental authority, the conditions applicable to the other party shall be the most favorable applied to any third power or its nationals. (Art. 9.)

(g) All that concerns payment of consumption duties, transshipment of merchandise, and fulfillment of customs formalities. (Art. 13.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with reference to railway rates and accessory charges to be applied by either country to merchandise imported or exported in accordance with provisions of Articles 1-9 of this convention. (Art. 10.)

III. National treatment is reciprocally pledged with regard to:

(a) Treatment of citizens of either country attending fairs or markets in the other to exercise their commerce or sell their products; with special reference to payment of taxes; except as noted below under V b. (Art. 18.)

(b) Duties, taxes, and imposts payable, under whatever name, by civil or commercial companies or associations of either country permitted to exercise their rights or industry in the other. (Art. 19.)

IV. Other provisions.

(a) Products originating in and coming from Czechoslovakia enumerated in List B annexed to this convention, when imported from that country into France or French colonies and possessions, are entitled to the reductions indicated in said list, based on percentages to be applied as described. (Art. 3.)

(b) France agrees to permit exportation to Czechoslovakia of phosphates from Algeria and Tunis up to 50,000 tons a year, and to favor Czechoslovakia as regards exportation of potash products and other specified materials. (Art. 5.)

(c) Reciprocally, Czechoslovakia will permit unrestricted importation of a long list of specified products enumerated in List C annexed to this convention, when originating in or coming from France and French colonies or possessions; and will permit importation from France and French colonies or possessions, within specified quantity limits and subject to exceptions and conditions stated, of products enumerated in List D. (Art. 6.)

(d) Czechoslovakia agrees to permit exportation to France or French colonies and possessions of products enumerated in List E annexed to this convention, within quantity limits stated. (Art. 7.)

(e) Any new import or export prohibitions which either party may establish shall be applied so as to inflict the least possible injury on the commercial relations between the two countries. (Art. 8.)

(*f*) Products of either country imported into territories of the other and destined for warehousing or transit shall be exempt from all customs duties and internal dues, except taxes or charges for stamping, registration, statistics, etc. (Art. 11.)

(*g*) Definition of "direct" shipment as applied to Czechoslovak merchandise exported to France. (Art. 12.)

(*h*) In order to reserve the benefits of this convention for their respective products and to prevent fraud by indirect transportation, certificates of origin may be required by either country to accompany merchandise imported into its territory (except articles enumerated in List D, referred to above under I *a*), as described in detail. (Art. 13.)

(*i*) Each country undertakes to adopt all necessary measures to protect products of the other from all unfair competition in commercial transactions, and to prohibit and suppress by seizure and other appropriate remedies the importation, warehousing, exportation, manufacture, distribution, or sale in its territory of all goods bearing marks or descriptions calculated to convey a false indication of origin, type, nature, or special characteristics of such goods. (Art. 15.)

(*j*) For the protection of indications of origin, both countries undertake to observe all provisions of the act of Madrid of 14 Apr., 1891, and to respect each other's laws and decisions duly communicated by the proper authorities defining or regulating the right to regional appellations (as defined in detail) for all products deriving their special qualities from the soil or climate, or defining the conditions under which a regional appellation may be authorized; and further undertake to prohibit the importation, warehousing, exportation, manufacture, distribution, or sale of articles bearing regional appellations contrary to such laws and decisions. (Art. 16.)

(*k*) Both countries undertake to give effective application to specified international conventions for protection of industrial property and of literary and artistic works. (Art. 17.)

(*l*) Extensive and detailed provisions concerning exemption of commercial travelers' samples from customs duties in either country, subject to laws and regulations relating thereto. Merchants, manufacturers, and their commercial travelers of either country must be provided with a legitimation certificate in the form prescribed. (Art. 18.)

(*m*) Civil or commercial associations duly constituted in either country may exercise their rights or industry in the other subject to its laws; except special restrictions which either country may impose in manner stated on industries of general utility. (Art. 19.)

V. Exceptions.

(a) The most-favored-nation provisions of Articles 1 and 3 (noted above under I *a* and *c*) can not be invoked to secure:

1. Preferential advantages which Czechoslovakia may accord in tariff matters to bordering States until 16 July, 1925, whether by application of Article 222 of the treaty of St. Germain,¹⁰² or by special conventions; without prejudice, however, to provisions of Article 17 of Czechoslovakia's treaty of peace of 10 Sept., 1919.¹⁰³ (Art. 1.)

2. Advantages resulting from a preferential régime which France may accord temporarily to certain countries to facilitate financial regulations between Governments, or resulting from economic unions which France may conclude with bordering countries. (Art. 3.)

(b) National treatment provisions of Article 18 (noted above under III *b*) do not apply to peddling and other itinerant industries, nor to soliciting orders from persons not engaged in industry or commerce; each country reserving complete freedom of legislation in this respect. (Art. 18.)

(c) Notwithstanding stipulations of Article 6 (noted above under IV *c*), Czechoslovakia may at any time refuse licenses to import products enumerated in List D for reasons of public security, or from sanitary considerations. (Art. 6.)

Treaty with Germany.

See Treaty of Versailles, No. 314.

Treaty with Switzerland.

See Austria-Hungary and Switzerland, No. 89.

¹⁰² See No. 63, II *a*.

¹⁰³ See No. 257, III *a-b*.

DANZIG.

Treaty with Poland.

No. 259.

Treaty between Poland and the free city of Danzig.

SIGNED 9 Nov., 1920, at Paris (in accordance with Article 104 of the treaty of peace with Germany of 28 June, 1919). Effective from date of establishment of the free city of Danzig (15 Nov., 1920). Duration indefinite. Not subject to modification except by agreement between the two parties. (Art. 40.)

TEXT: English and French (both authentic), L. N., Annex to Council Doc. J 4 A.

I. National and most-favored-nation treatment.—The provisions of Articles 14 to 19 of the treaty of 28 June, 1919, between the Principal Allied and Associated Powers and Poland (noted in this volume under No. 424, II *a-c*) shall equally apply to the free city of Danzig. (Art. 33.)

II. National treatment provisions.

(a) Poland assures to nationals of the free city of Danzig protection in foreign countries in the same conditions as to Polish nationals. (Art. 2.)

(b) The free city agrees to accord to ships flying the Polish flag the same treatment in the port of Danzig as to ships flying the flag of the free city. (Art. 10.)

III. Other provisions.

(a) Poland undertakes the conduct of the foreign relations of the free city of Danzig as well as the protection of its nationals abroad (Art. 2), as described in detail. (Arts. 2-5.)

(b) Poland shall conclude no treaty or international agreement affecting the free city without previously consulting the latter. The High Commissioner has the right in all cases to veto any treaty or agreement, in so far as it applies to the free city of Danzig, which the council of the League of Nations may deem inconsistent with the provisions of this treaty or with the status of the free city. (Art. 6.)

(c) The free city may not contract any foreign loans except after previous consultation with the Polish Government. In case of objection by the latter, the High Commissioner shall decide in manner specified and subject to provisions noted below under III *n*. (Art. 7.)

(*d*) Detailed provisions concerning registration and treatment of vessels of either party and right to fly their respective flags. (Arts. 8-10.)

(*e*) Subject to provisions noted above under I *a* and II *a*, the control of foreigners in Danzig shall be exercised by authorities of the free city. (Art. 12.)

(*f*) Danzig is included within the Polish customs frontier, the two forming one customs area under the Polish customs legislation and tariff. (Art. 13.) Detailed stipulations concerning customs administration. (Arts. 14-17.)

(*g*) The free zone existing in the port of Danzig shall be maintained and placed under control and administration of the Danzig Port and Waterways Board. (Art. 18.)

(*h*) Extensive and detailed stipulations concerning constitution, functions, and duties of the Danzig Port and Waterways Board. (Arts. 19-26.)

(*i*) Poland has the right, at all times and in all circumstances, to import and export via Danzig goods of any kind whatever not prohibited by Polish law. (Art. 28.)

(*j*) Provisions concerning postal, telegraphic, and telephonic communication. (Arts. 29-32.)

(*k*) Danzig undertakes to apply to racial, religious, and linguistic minorities provisions similar to those applied by Poland on Polish territory in accordance with treaties cited (Art. 33), as noted in this volume under No. 424, III *i-j*.

(*l*) Specified treaty provisions (noted in this volume under No. 424, III *a-d, f, g*, and IV) shall equally apply to the free city of Danzig. (Art. 33.)

(*m*) Provisions concerning naturalization in the free city of Danzig (Art. 34); reciprocal execution of judgments of tribunals of either country, arrest and extradition of criminals, and other judicial questions (Art. 35); unification of monetary systems of both parties (Art. 36); and supply of foodstuffs, fuel, and raw materials to the free city. (Art. 37.)

(*n*) Any differences arising between Poland and the free city of Danzig in regard to this or any other treaty, agreement, arrangement, or convention, or to any matter affecting the relations between the two parties, shall be submitted by either party to the decision of the High Commissioner, who may refer the matter to the council of the League of Nations. Both parties retain the right of appeal to said council. (Art. 39.)

DENMARK.

Treaties with America, United States of, to China.

Treaties of Denmark with the following countries have been previously dealt with in this volume under:

America, United States of, Nos. 16 and 17.

Austria-Hungary, No. 68.

Belgium, No. 96.

Chile, No. 221.

China, No. 228.

Great Britain (under British Empire), Nos. 149 to 151.

Treaty with France.

No. 260.

Provisional and additional convention of commerce and navigation between Denmark and France.

SIGNED 9 Feb., 1842, at Paris. Duration not stated.

TEXT: French, France Tr. I: 689-92; B. F. S. P. 35: 1259-76.

I. Most-favored-nation treatment is reciprocally but conditionally pledged (subject to exceptions noted below) in regard to:

(a) All favors, privileges, or immunities which either country may accord in matters concerning customs duties and navigation dues (Art. IV); with special reference to French navigation and commerce in the Sound, the Belts, and the Holstein Canal, particularly all advantages assured by the treaty of 23 Aug. 1742¹⁰⁴ (Art. III).

(b) All privileges, exemptions, and immunities accorded to consular officers by either country. (Art. V.)

(c) Treatment of merchant vessels of either nation admitted to overseas colonies of the other. (Art. VIII.)

(d) License fees payable in Denmark by commercial travelers of France; commercial travelers of Denmark being subject to an equivalent impost in France. (Addl. art. II, 9 Feb., 1910.¹⁰⁵)

II. National treatment is reciprocally pledged in regard to:

(a) Navigation dues for tonnage, pilotage, quarantine, and other similar duties levied in ports of either country on ships of the other from whatever place arriving and whatever their destination. (Art. II.)

¹⁰⁴ French, France Tr. I: 683-9.

¹⁰⁵ French, France Tr. I: 705; B. F. S. P. 103: 417.

(b) Dues and expenses payable in either country for salvage or conservation of vessels of the other and their cargoes in case of damage or shipwreck. (Art. VII.)

(c) All rights, privileges, liberties, favors, immunities, and exemptions regarding exercise of civil rights in either country, with special reference to exercise of industrial or commercial trades and professions, and all taxes or imposts relating thereto. (Addl. Art. 1.¹⁰⁵)

III. Other provisions.

(a) All rights and privileges assured to citizens of both countries by the treaty of 23 Aug., 1742,¹⁰⁴ with regard to their persons and properties are confirmed and continued, so far as compatible with existing laws in both countries (Art. I); also all advantages secured by that treaty to French navigation and commerce in the Sound, the Belts, and Holstein Canal. (Art. III.)

(b) Assistance by local authorities to consuls in recovery and arrest of seamen deserters (Art. VI) and in case of ships of either country wrecked on coasts of the other. (Art. VII.)

IV. Application to colonies.—The provisions of this convention do not apply to the overseas colonies of either country, nor to Iceland, Greenland, and the Faroe Islands; except that most-favored-nation treatment is reciprocally pledged in the overseas colonies of either country to mercant vessels of the other, and reciprocal national treatment respecting dues and expenses for salvage or conservation of vessels of either country and their cargoes in case of shipwreck. (Art. VIII.)

Treaty with Germany (Prussia).

No. 261.

Treaty of commerce, as revised by convention renewing the same, between Denmark and Prussia.

SIGNED 17 June, 1818, and 26 May, 1846,¹⁰⁶ at Copenhagen. Effective until 1 July, 1851, and thereafter until terminated by six months' notice from either party. (Convention of 1846, Arts. I, XI.)

TEXT: German, Hdv. 1906: 162-9; French, B. F. S. P. 5: 695-710.

I. Most-favored-nation treatment is reciprocally pledged in general terms by either country to the subjects, merchandise, and vessels of the other; including admission of Prussian vessels and cargoes in overseas colonies of Denmark, and likewise in Iceland, Greenland, and the Faroe Islands. (Arts. II, III; conv.,¹⁰⁶ Art. III.)

Most-favored-nation treatment is further pledged by Denmark to Prussian subjects with regard to commerce and navigation in the Sound and the Belts; with special reference to tariff reductions and

¹⁰⁴ French, France, Tr. I: 683-9.

¹⁰⁵ French, France, Tr. I: 705; B. F. S. P. 103: 417.

¹⁰⁶ German, Hdv. 1906: 169-71 French, B. F. S. P. 35: 283-6.

other favors or advantages relating to payment of dues or tolls. (Art. IV.)

II. National treatment is reciprocally pledged in regard to:

(a) All prerogatives or advantages accorded to merchant vessels in the ports of either country; with special reference to import and export duties on merchandise and port dues on vessels; except:

(1) The coasting trade of both countries. (Conv.,¹⁰⁶ Art. II.)

(2) Commerce with Iceland, Greenland, Faroe Islands, and the Danish colonies. (Art. III.)

(b) Application of quarantine laws and regulations of either country to the shipping of the other. (Art. XXIV; conv.,¹⁰⁶ Art. X.)

(c) Assistance to be given to vessels of either country stranded or shipwrecked on coast of the other. (Art. XXV.)

III. Other provisions.

(a) Vessels and their cargoes of either country seeking refuge in ports of the other from damage or shipwreck are exempt from all duties, under conditions stated. (Art. X; conv.,¹⁰⁶ Art. VIII.)

(b) Provision concerning protection of citizens of either country residing in the other in case of war between the two countries. (Art. XXVIII.)

(c) Extensive provisions concerning contraband and blockade (Arts. XVII-XXI); neutrality (Art. XXII); quarantine (Art. XXIV; conv.,¹⁰⁶ Art. X), and shipwrecks (Art. XXV).

Treaties with Great Britain.

See Nos. 149 to 151.

Treaty with Greece.

No. 262.

Treaty of commerce and navigation between Denmark and Greece.

SIGNED 25 Dec., 1843, and 31 Oct., 1846. Effective from 28 Dec., 1846, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XVI.)

TEXT: French and Greek, Greece Tr. 1912: 398-405; French, B. F. S. P. 36: 991-4.

I. Most-favored-nation treatment is reciprocally but conditionally pledged with regard to:

(a) Any advantage which either country may accord in respect of its coasting trade. (Art. VI.)

(b) Treatment of subjects and vessels of Greece regarding commerce with Greenland, Iceland, and the Faroe Islands (Art. VIII); and respecting dues payable by Greek vessels and their cargoes on passing the Sound and the Belts (Art. IX).

(c) Any advantages accorded by either country concerning salvage of shipwrecked vessels. (Art. X.)

¹⁰⁶ German, Hdv. 1906: 169-71; French, B. F. S. P. 35: 283-6.

(d) Any duties, prohibitions, or restrictions which either country may impose on importation or exportation of products of the other carried in Greek or in Danish ships; also any bounties or drawbacks and all facilities for warehousing or transit accorded to similar products of any other country. (Art. XII.)

(e) Reductions of duties or other advantages which either party may accord to products of any other country. (Art. XIII.)

(f) All advantages accorded to consuls in either country, in all respects. (Art. XV.)

II. National treatment is reciprocally pledged in general terms respecting all advantages, immunities, prerogatives, favors, and protection which either country may concede to its nationals with regard to their persons, properties, and commercial undertakings, subject to the laws and regulations of the country. (Art. I.)

National treatment is further reciprocally pledged in regard to:

(a) All dues for port, tonnage, lighthouse, pilotage, salvage, and all other dues or charges under whatever name, imposed in either country on vessels of the other, whether levied by the State, or by communes, corporations, societies, or private establishments.

(b) Importation and exportation. All objects of commerce permitted to be imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination, without paying other or higher duties of any kind than when carried in national vessels. (Art. IV.)

(c) All warehousing and transit facilities, and all bounties and drawbacks, granted to vessels of either country on importation or exportation. (Art. V.)

(d) Equal treatment of vessels of either country regarding purchase of any merchandise lawfully imported. No preference to be given in this respect, directly or indirectly, based on nationality of the vessel importing the same. (Art. VII.)

(e) Equal treatment of shipwrecked vessels of either country, with special reference to payment of salvage expenses. (Art. X.)

(f) Protection of vessels of either country from pirates in the waters of the other. (Art. XI.)

(g) Succession duties payable in either country by subjects of the other on inherited property withdrawn from the country. (Art. XIV.)

Treaty with Italy.

No. 263.

Treaty of commerce and navigation between Denmark and Italy.

SIGNED 1 May, 1864, at Turin. Effective from 24 Nov., 1864, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XIII.)

TEXT: French, Italy Tr. 1911, I: 301-5; B. F. S. P. 56: 997-1002; Danske Tr. (1863-79): 9-15.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all favors regarding commerce, navigation, or fisheries which either nation may accord to any third power. (Art. X.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All privileges, advantages, or tariff reductions which either country may accord regarding importation, exportation, or transit of merchandise, and all duties, restrictions, or prohibitions relating thereto. (Arts. IX, X.)

(b) All matters concerning transit through either country, except as noted below under III *c*. (Art. VI.)

(c) All favors, duties, or restrictions regarding exercise of industries and professions in either country. (Addl. art. of 17 Sept., 1902.¹⁰⁷)

(d) All privileges and powers accorded to consular officers by either country. (Art. XI.)

II. National treatment is reciprocally pledged in regard to:

(a) Treatment by either country (including Iceland, the Faroe Islands, and the Danish Antilles) of ships of the other, from whatever place arriving and whatever their destination, with reference to customs duties and dues for tonnage, lighthouse, pilotage, quarantine, and all other dues or charges affecting the hull of the vessel, no matter by whom or how levied in either country. (Arts. I and X.)

(b) All privileges in matters relating to stationing, loading, or unloading of vessels in ports, basins, roadsteads, or harbors of either country. (Art. III.)

(c) All favors or immunities accorded by laws of either country to vessels and their cargoes seeking refuge from damage or shipwreck. (Art. V.)

(d) Importation and exportation. Any merchandise permitted by laws of either country to be imported, stored, warehoused, exported, or reexported when carried in its own vessels, from whatever place arriving, may likewise be imported, stored, warehoused, exported, or reexported by ships of the other, without paying other or higher duties or charges under whatever name (whether levied for Government or for local authorities or private establishments of any kind), than when carried in national ships. (Art. VI.)

(e) Equal treatment of vessels. No priority or preference to be accorded by either country directly or indirectly, nor by any person or corporation acting in its name or under its authority, for purchase of any article of commerce lawfully imported, in consideration of the nationality of the vessel importing the same. (Art. VII.)

¹⁰⁷ French, Italy Tr. 1911, I: 305-6; B. F. S. P. 101: 961.

(f) All privileges which either country may accord to its vessels above 30 tons burthen engaged in the coasting trade, in all respects. (Art. VIII.)

(g) Right of citizens of either country to acquire, possess, and dispose of, or succeed to, property of all kinds in the other, by will or otherwise; and all duties relating thereto; also care of such property in either country until claimed by legitimate heirs. (Art. XII.)

III. Other provisions.

(a) Nationality of vessels of either country to be recognized by the other if carrying ship's papers and certificates described. (Art. II.)

(b) Right of vessels of either country to load or discharge cargo at different seaports of the other on the same voyage. (Art. IV.)

(c) Transit of gunpowder is prohibited and special authorization may be required for transit of arms through either country. (Art. VI.)

Treaties with Japan.

No. 264.

Treaty of commerce and navigation between Denmark and Japan.

SIGNED 12 Feb., 1912, at Copenhagen. Ratifications exchanged 6 May, 1912, at Tokio. Effective from 7 May, 1912, for 10 years and thereafter until terminated by 12 months' notice from either party. (Art. XXI.)

TEXT: English (authentic), Japan Tr. 1918:184-92; Martens 93:623-32; B. F. S. P. 105:962-9.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any privilege, favor, or immunity which either party may grant to subjects or citizens of any other State in all that concerns commerce, navigation, and industry. (Art. XIX.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All matters concerning travel and residence, studies and investigations, exercise of trades and professions, and prosecution of industrial and manufacturing enterprises in either country, in all respects. (Art. I, 1.)

(b) Conditions and limitations concerning acquisition and possession of any movable or immovable property which laws of the country permit foreigners to acquire or possess, on condition of reciprocity. (Art. I, 3.)

(c) Right to own or hire and occupy houses, factories, warehouses, shops, and other necessary premises, and to lease land for residential, industrial, manufacturing, and other lawful purposes, on condition of reciprocity. (Art. I, 3.)

(d) All privileges, liberties, rights, taxes, and charges in regard to transmission of or succession to movable or immovable property, by will or otherwise, and disposal in any manner of all kinds of

property lawfully acquired in either country by subjects of the other. (Art. I, 4.)

(e) All taxes, fees, charges, or contributions of any kind payable in either country by subjects of the other. (Art. I, 7.)

(f) Appointment of consuls, and (on condition of reciprocity) all rights, privileges, exemptions, and immunities accorded to consular officers by either country. (Art. III.)

(g) Right of citizens of either country to enter with ships and cargoes all places, ports, and rivers open to foreign commerce in the other, subject to observing the laws of the country. (Art. V.)

(h) Any duties or charges imposed by either country on exportation of any article to the other. (Art. VI.)

(i) Any prohibitions or restrictions which either country may impose on importation or exportation of any article to or from the other; except sanitary measures, or to protect animals or useful plants. (Art. VI.)

(j) Treatment of merchants, manufacturers, or commercial travelers of either country making purchases or collecting orders in the other, with or without samples, with reference to taxation and facilities. (Art. VIII.)

(k) All facilities, privileges, and immunities which either party may accord to vessels charged with a regular postal service, whether state-owned or subsidized by the government for that service. (Art. XVI.)

(l) Any rights or favors which either country may concede in respect of its coasting trade. (Art. XV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to all duties for tonnage, transit, canal, port, pilotage, lighthouse, quarantine, and similar duties or charges of whatever kind, no matter by whom or how levied in territorial waters of either country on ships of the other, from whatever place arriving and whatever their destination. (Art. XIII.)

III. National treatment is reciprocally pledged in regard to:

(a) Right of subjects of either country to carry on commerce and trade in the other in all merchandise of lawful commerce, personally or by agents, singly or as partners with foreigners or native subjects. (Art. I, 2.)

(b) All rights and privileges in matters concerning administration of justice in either country, including employment of representatives to act before courts and other authorities. (Art. I, 5.)

(c) Liability to military requisitions or contributions incumbent on possession of immovable property in either country. (Art. I, 6.)

(d) Exemption of houses, factories, shops, and other premises used for lawful purposes from domiciliary visits or search, and ex-

emption of books, papers, or accounts from inspection or examination, except under conditions and with legal forms prescribed by the laws for native subjects. (Art. II.)

(e) All that relates to warehousing, bounties, drawbacks, and facilities concerning importation or exportation of merchandise. (Art. VII.)

(f) Importation and exportation. All articles which may legally be imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination, without paying other or higher duties or charges, and subject to the same bounties or drawbacks as when carried in national vessels. (Art. X.)

(g) All privileges or facilities regarding the stationing, loading, or unloading of vessels in territorial waters of either country. (Art. XI.)

(h) Assistance, protection, and immunities accorded by either country to wrecked or damaged vessels. (Art. XVIII.)

IV. Other provisions.

(a) Right of subjects of either country and their families to enter and reside in any part of the other. (Art. I.)

(b) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from all forced loans, and all contributions imposed in lieu of personal service. (Art. I, 6.)

(c) Consular administration of property left by their deceased nationals under conditions stated. (Art. IV.)

(d) Subjects of either country shall enjoy in the other exemption from all transit duties. (Art. VII.)

(e) Duty-free admission into either country of commercial travelers' samples from the other, subject to customs regulations relating thereto. (Art. VIII.)

(f) Stock companies and other commercial, industrial, or financial associations duly constituted in either country are authorized to exercise their rights in the other, with special reference to actions in courts of justice. (Art. IX.)

(g) Nationality of merchant vessels under flag of either country to be recognized by the other if carrying papers required by law. (Art. XII.)

(h) Right of vessels of either nation to load or discharge foreign cargoes at different ports of the other on the same voyage, but coasting trade is expressly excepted. (Art. XV.)

(i) Consular jurisdiction of disputes arising on merchant vessels between officers and crews, with special reference to salaries and execution of contracts. (Art. XVI.)

(j) Local authorities to assist consuls in recovery of seamen deserters. (Art. XVII.)

(k) Articles saved from wrecked or damaged vessels of either country are exempt in the other from customs duties, unless cleared for consumption. (Art. XVIII.)

V. Exceptions.

(a) The provisions of this treaty do not apply to:

(1) The coasting trade of either country, which is reserved for regulation by their respective laws. (Art. XV.)

(2) Special advantages which either party may accord to contiguous countries to facilitate frontier traffic. (Art. XIX.)

(3) Advantages resulting from conclusion of a customs union, so far as not extended to other countries. (Ibid.)

(b) The provision of Article VII regarding transit duties, and the provision of Article VIII concerning duty-free admission of samples (noted above under IV, *d* and *e*) do not apply to the Danish Antilles. (Art. XX.)

VI. Territorial application.—The stipulations of this treaty are applicable to all territories and possessions belonging to or administered by either party, except Iceland and the Danish colonies in Greenland. (Art. XX.) See also under V *b* above.

No. 265.

Special reciprocal customs convention between Denmark and Japan.

SIGNED 12 Feb., 1912, at Copenhagen. Ratifications exchanged 6 May, 1912, at Tokio. Terminable on 12 months' notice by either party. (Art. VI.)

TEXT: English (authentic), Japan Tr. 1918:192-4; B. F. S. P. 105:969-70.

I. Most-favored-nation treatment.—Products of either country shall enjoy, on importation into the other, the lowest rates of customs duty applicable to similar articles of any other foreign origin. (Art. I.)

II. National treatment.—Products of either country duly imported into the other shall not be subject to any other or higher taxes or duties of octroi, transit, warehouse, excise, or consumption than may be charged upon similar articles of national origin. (Art. II.)

III. Other provisions.—Certificates of origin of imported merchandise may be exceptionally required by either country in circumstances stated. (Art. III.)

IV. Exceptions.—The following are excepted from the operation of this convention:

(a) The produce of the national fisheries of either country, and of fisheries assimilated thereto as regards importation of their produce. (Art. V, 1.)

(b) Tariff concessions which either party may grant exceptionally to contiguous States to facilitate frontier traffic. (Ibid., 2.)

(c) Advantages resulting from a customs union which either party may conclude with any third Power, so far as such advantages are not extended to other countries. (Ibid., 3.)

V. Territorial application.—The stipulations of this convention are applicable to all territories and possessions belonging to or administered by either country, except only Iceland and the Danish colonies in Greenland. (Art. IV.)

Treaty with Liberia.

No. 266.

Treaty of friendship, commerce, and navigation between Denmark and Liberia.

SIGNED 1 May, 1860, at London. Effective from 27 Mar., 1865, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. IX.)

TEXT: Danish, *Danske Tr.* (1800–63): 266–710; English, B. F. S. P. 56: 1137–40.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms regarding every favor, privilege, or immunity which either country may grant in matters of commerce and navigation to subjects of any other State. (Art. VIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All rights and privileges which either country may accord to foreigners, with special reference to right of residence and trade. (Art. IV.)

(b) Admission of Liberian vessels to the colonies and possessions of Denmark. (Art. V.)

(c) All duties or prohibitions imposed by either country on merchandise imported from the other in vessels of any nationality, or in ships of the other from any port. (Art. VI.)

(d) Exportation of products of either country by subjects or in ships of the other. (Art. VI.)

(e) Protection and privileges accorded to consular officers by either country. (Art. IX.)

II. National treatment is reciprocally pledged in regard to:

(a) Possession, disposal, and transmission of, or succession to, personal property of all kinds, by will or otherwise, and any imposts or taxes relating thereto. (Art. IV.)

(b) Tonnage and other duties, charges, or taxes levied by either country on ships of the other, and on goods imported or exported in ships of the other. (Art. V.)

III. Other provisions.

(a) The slave trade is prohibited and declared criminal in both countries. (Art. II.)

(b) Religious liberty in either country for subjects of the other. (Art. III.)

(c) Subjects of either country to have full protection in the other for their persons and property. (Art. IV.)

(d) Right of subjects of either country trading in the other to buy and sell freely, without limitation or restriction from any monopoly, contracts, or other exclusive privileges of purchase or sale. (Art. IV.)

(e) Vessels of either country and their officers and crews shall be protected in the other, in case of damage or shipwreck. (Art. VII.)

(f) Local authorities in either country to assist consuls of the other in recovery of seamen deserters. (Art. X.)

IV. Exceptions.—The provisions of this treaty do not apply to:

(a) The coasting trade of either country or of its possessions. (Art. V.)

(b) Intercourse between Denmark and the Danish colonies. (Ibid.)

Treaty with Mexico.**No. 267.***Convention of friendship and commerce between Denmark and Mexico.*

SIGNED 3 May, 1910, at Mexico. Effective from 22 Oct., 1910, for five years, and thereafter until terminated by 12 months' notice from either party. (Art. XIII.)

TEXT: French, B. F. S. P. 103:420-3.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms with regard to all matters relating to importation, exportation, transit, warehousing, reexportation, local dues, brokerage, customs tariffs and formalities, exercise of commerce and industry, navigation, and acquisition or possession of property of any kind, with special reference to any privilege, immunity, or tax reduction which either country may accord to citizens or products of any other State respecting import, export, and other duties, except obligations resulting from a customs union with a neighboring State. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Exceptional military charges incumbent on possession of landed property in either country, with special reference to quartering of troops. (Art. II.)

(b) Treatment of ships of either country and their cargoes in ports of the other, including any concessions which either country may make in respect of its coasting trade, on condition of reciprocity. (Art. III.)

(c) Application by either country to ships of the other of specified limit of territorial waters for enforcement of customs regulations and prevention of smuggling. (Art. V.)

(d) All rights, immunities, and privileges accorded to consular officers in either country. (Art. VI.)

II. National treatment is reciprocally pledged in regard to:

(a) All rights and immunities regarding access to courts of justice, and employment of advocates or other agents therein. (Art. II.)

(b) Any dues or charges payable by vessels of either country for salvage or conservation of ship and cargo in case of damage or shipwreck. (Art. VIII.)

III. Other provisions.

(a) Citizens of either country are exempt in the other from obligation to accept public office, whether judicial, administrative, or municipal (except guardianship); from all personal military service by land or sea; and from all extraordinary imposts, forced loans, and requisitions, except those incumbent on possession of landed property. (Art. II.)

(b) In all matters concerning police of ports, loading and unloading of vessels, and safety of merchandise or effects, citizens of either country are subject in the other to the laws and regulations in force. (Art. V.)

(c) Limit of territorial waters of either country for enforcement of customs regulations and prevention of smuggling to be three sea leagues from the line of low water. (Art. V.)

(d) Exemption of salvaged merchandise from all customs duties in either country, unless cleared for domestic consumption. (Art. VIII.)

(e) Disputes concerning interpretation or application of this treaty to be submitted for arbitration to the permanent court of arbitration at The Hague. (Art. XI.)

Treaty with Norway.

See Sweden and Norway, No. 275.

Treaty with Persia.

No. 268.

Treaty of friendship and commerce between Denmark and Persia.

SIGNED 30 Nov., 1857, at Paris. Effective from 18 Aug., 1859, for 12 years, and thereafter until terminated by 12 months' notice from either party. (Art. VI.)

TEXT: French, *Danske Tr.* (1800-63): 215-8; B. F. S. P. 47: 1156-8.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) All prerogatives and immunities accorded to diplomatic agents by either country. (Art. II.)

(b) Treatment of travelers, merchants, manufacturers, and other subjects of either country in territories of the other, in all respects. (Art. III.)

(c) Duties levied on ships of either country entering or leaving ports of the other, or levied by either country on merchandise imported or exported by subjects of the other; no exceptional tax of any kind to be claimed in either country under any pretext. (Art. IV.)

(d) Respect, privileges, and immunities accorded to consuls of either country at their place of residence in the other. (Art. V.)

II. Other provisions.

(a) Subjects of either country may bring into the other or export therefrom all kinds of produce and merchandise, by land or sea, and sell, exchange, buy, and transport the same throughout the territories of either nation, it being understood that internal commerce is subject to the laws of the country. (Art. III.)

(b) Consuls of either country carrying on commerce in the other are subject to the same laws and usages as their nationals engaged in the same commerce. (Art. V.)

Treaty with Portugal.

No. 269.

Commercial declaration between Denmark and Portugal.

SIGNED 14 Dec., 1896, at Copenhagen. Effective until conclusion of a treaty of commerce and navigation between the two countries. (Preamble.)

TEXT: French, B. F. S. P. 88: 444-5; French and Portuguese (transl.), Portugal Tr. 10: 161-2.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) in respect to:

(a) All duties of any kind payable in Denmark on products of Portuguese origin, including colonial merchandise reexported from Portugal; so long as Denmark receives in Portugal the treatment specified under I b below. (Art. I.)

(b) All duties of any kind payable in Portugal or adjacent islands (Madeira, Porto Santo, and the Azores) on some thirty classes of Danish products named in the table annexed to this declaration, including Danish colonial products exported from Denmark; so long as Denmark does not increase the duty on cork, or on wines of specified strength. (Art. II.)

(c) All that concerns warehousing, reexportation, and navigation in general. (Art. III.)

II. Exceptions.—The most-favored-nation treatment stipulated in Articles II and III (noted under I *b* and *c*) gives Denmark no right to invoke Portugal's treaties with Spain and Brazil; nor, as regards navigation, Portugal's treaties of 11 Dec., 1875,¹⁰⁸ and 10 Mar., 1876,^{108a} with the South African Republic and the Orange Free State, respectively. (Art. IV.)

Treaty with Rumania.

No. 270.

Convention of commerce and navigation between Denmark and Rumania.

SIGNED 11 Apr., 1910, at Vienna. Ratifications exchanged there 21 June, 1911. Terminable on 12 months' notice by either party. (Art. VIII.)

TEXT: French, B. F. S. P. 103: 417-19; Martens 92: 483-5.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) in regard to:

(*a*) Treatment by either country of imported products of the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of duties or dues. (Art. II.)

(*b*) Export duties imposed by either country on objects exported to the other. (Art. II.)

(*c*) Exceptional prohibitions which either country may establish for reasons noted below under III *b*.

(*d*) Treatment to be accorded by either country to vessels of the other and their cargoes. (Art. VI.)

II. National and most-favored-nation treatment is reciprocally pledged in general terms with regard to all rights, immunities, advantages, and exemptions concerning exercise of commerce and industry in either country and all imposts relating thereto, subject to specified laws and regulations in matters of commerce, industry, and police applying to all foreigners in either country. (Art. I.)

III. Other provisions.

(*a*) Either country may require certificates of origin of merchandise imported, for customs purposes, or for statistical reasons. (Art. III.)

(*b*) Neither country to obstruct commerce with the other by prohibitions against importation, exportation, or transit (Art. IV), except in the following cases applying to all countries in identical circumstances:

(1) Munitions of war in exceptional circumstances. (Art. IV, 1.)

(2) Reasons concerning internal security of the State. (Ibid., 2.)

(3) Sanitary measures, or to protect animals or useful plants from noxious insects or parasites. (Ibid., 3.)

¹⁰⁸ English, B. F. S. P. 67: 1256-65.

^{108a} Ibid. : 745-50.

(4) Application to foreign merchandise of prohibitions or restrictions imposed by internal laws on production, sale, or distribution of similar articles of domestic production. (Ibid., 4.)

(5) Merchandise monopolized by the State in either country. (Ibid., 5.)

(c) Nationality of vessels to be recognized in accordance with ships' papers issued by the competent authorities under laws of each country. (Art. VI.)

IV. Exceptions.—The provisions of this convention do not apply to:

(a) Favors which Denmark may accord to Sweden or Norway in virtue of special customs conventions. (Art. V.)

(b) Special arrangements which either country may make with bordering States regarding frontier traffic. (Ibid.)

(c) Iceland, Greenland, and Danish Antilles. (Art. VII.)

Treaty with Russia.¹⁰⁹

No. 271.

Treaty of commerce and navigation between Denmark and Russia.

SIGNED 2 Mar., 1895, at St. Petersburg. Duration indefinite, subject to termination on 12 months' notice by either party. (Art. XI.)

TEXT: French, B. F. S. P. 87: 390-3; Martens 84: 462-5.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms respecting any privilege, favor, or immunity of any kind which either country may accord to the subjects or products of another State in matters concerning customs duties on imports or exports by land or sea, or relating to importation, exportation, transit, warehousing, reexportation, local dues, brokerage, customs tariffs and formalities, navigation, exercise of commerce and industry, and acquisition or possession of property of all kinds. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Rights which stock companies and other commercial, industrial, or financial associations legally constituted in either country may exercise in the other. (Art. III.)

(b) Appointment of consular officers, and all rights, immunities, and privileges accorded to them in either country. (Art. X.)

II. National and most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Any privilege or exemption concerning treatment by either country of ships of the other and their cargoes, from whatever place

¹⁰⁹ See p. 757, note 195.

arriving and whatever their destination, and whatever the origin or destination of the cargoes (Art. VIII); except:

(1) Special advantages which either country may accord to its national fisheries and their products. (Ibid., *a*.)

(2) Favors which either country may accord to its national merchant marine. (Ibid., *b*.)

(*b*) Specified military charges and contributions incumbent on possession of landed property in either country. (Art. II.)

III. National treatment is reciprocally pledged with regard to all rights and immunities concerning access to courts of justice, and employment of advocates and other agents therein. (Art. II.)

IV. Other provisions.

(*a*) Citizens of either country are exempt in the other from all obligatory judicial, administrative, or municipal functions (except guardianship); from all personal military service by land or sea, and from all imposts, forced loans, and extraordinary military requisitions and contributions, except quartering of troops and other special military contributions, and except charges incumbent on possession of landed property in either country. (Art. II.)

(*b*) Neither country to obstruct its commerce with the other by any prohibition against importation, exportation, or transit by any road open to transit, except:

(1) Articles of State monopoly in either country.

(2) Exceptional prohibitions resulting from measures of public health, veterinary police, or public security, and other considerations of national importance. (Art. IV.)

(*c*) Vessels of either country may load or discharge foreign cargo at different ports of the other on the same voyage, but coasting trade is excepted. (Art. VIII.)

V. Exceptions.

(*a*) The provisions of this treaty do not apply to:

(1) Favors which either country may accord to bordering States to facilitate local traffic within 15 kilometers of the frontier. (Art. V, 1.)

(2) Obligations imposed on either country by engagements of a customs union. (Ibid., 2.)

(3) Favors which Russia may accord to residents of the Province of Archangel regarding importation or exportation, and favors concerning trade with the north and east coasts of Siberia. (Ibid., 3.)

(4) Denmark's navigation and commerce with Greenland and the Danish Antilles. (Art. VI.)

(5) Special privileges accorded in Danish ports to residents of Raumo, Nystads, and Bjorneborg by act additional to treaty of 1831.¹¹⁰ (Art. VII.)

¹¹⁰ French, *Danske Tr.* (1800-63): 65-7.

(6) The coasting trade of either country, which is reserved for regulation by their respective laws. (Art. VIII.)

(b) The provisions of Articles I and IV (noted above under I and IV b) do not apply to:

(1) Special stipulations in the treaty of 8 May, 1838,¹¹¹ between Russia and Sweden and Norway. (Art. V.)

(2) Special arrangements regarding commerce with Asiatic countries bordering on Russia. (Ibid.)

VI. Territorial application.—The provisions of this treaty apply also to Iceland and the Faroe Islands, but not to the Danish Antilles, nor to Greenland. (Art. VI.)

Treaty with the Serb-Croat-Slovene State.¹¹²

No. 272.

Declaration between Denmark and Serbia granting mutually most-favored-nation treatment in respect to commerce.

SIGNED 30 Nov., 1909, at Vienna. Ratifications exchanged there 27 June, 1910. Terminable on one year's notice by either party.

TEXT: French, B. F. S. P. 102: 408; Martens 90: 615.

I. Most-favored-nation treatment is reciprocally pledged in all that concerns commerce, navigation, industry, and import duties, except as noted below.

II. Exceptions.—This declaration does not apply to:

(a) Concessions accorded by either country to bordering States to facilitate frontier traffic.

(b) Concessions resulting from a customs union.

(c) Iceland, Greenland, and the Danish Antilles.

Treaty with Siam.

No. 273.

Treaty of friendship, commerce, and navigation between Denmark and Siam.

SIGNED 21 May, 1858, at Bangkok. Effective from 15 Feb., 1859, for 12 years and thereafter subject to revision on 12 months' notice from either party. (Art. XXIV.)

TEXT: English (authentic). B. F. S. P. 50: 1073-84; Martens 46 (pt. 1): 116-26.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) Complete freedom of commerce and navigation of subjects and vessels of either country in all ports of the other where trade or navigation is allowed to subjects or vessels of any other country. (Art. I.)

¹¹¹ See No. 440.

¹¹² See p. 771, note 197.

(b) All privileges, immunities, powers, and exemptions which either country may accord to consular agents. (Art. II.)

Most-favored-nation treatment is further pledged by Siam to the Government and subjects of Denmark respecting free and equal participation in any privileges which Siam may grant to the Government, citizens, or subjects of any other nation. (Art. XXIII.)

II. National or most-favored-nation treatment (optional) is pledged to Danish vessels respecting all privileges and immunities which may be granted to Siamese or any other vessels. (Art. XVIII.)

III. National treatment is pledged by Siam respecting taxation of landed property in Siam owned by Danish subjects under conditions stated. (Art. VIII.)

IV. Other provisions.

(a) Protection of persons and property of subjects of either country in territories of the other. (Art. I.)

(b) Right of Danish subjects in Siam to free exercise of their religion, and right to build churches. (Art. III.)

(c) Danish subjects wishing to reside in Siam must be registered at the Danish consulate in the manner described. (Art. IV.)

(d) Right of Danish subjects to reside in Siam within boundaries named (and beyond these limits by special permission); also to trade freely and securely in all parts of Siam without interference from any monopoly or exclusive privilege of purchase or sale. (Art. V.)

(e) Right of Danish subjects to buy, sell, lease, or rent lands and plantations in Siam, and to rent, buy, or build houses within boundaries named, and subject to conditions stated; also to engage in mining in any part of Siam, and any kind of manufacturing not contrary to law. (Art. VIII.)

(f) Duties payable in Siam on merchandise imported in Danish vessels not to exceed 3 per cent ad valorem (Art. XIX), which shall never be increased (Art. XXI). Upon payment of specified import and export duties, Danish subjects may freely import into or export from Siam to or from any foreign port every kind of merchandise, except specified articles subject to restrictions named. (Art. XXI.)

(g) Detailed and extensive provisions relating to functions of Danish consuls (Arts. II, XXII); employment of Siamese subjects (Art. VI); passports (Art. VII); settlement of disputes between Danish and Siamese subjects (Arts. IX, X); piracy, or robbery on shore (Art. XI); arrest of criminals, fugitives, sailors, etc. (Art. XII); bankruptcy (Art. XIII); recovery of debts (Art. XIV); disposal of property left by subjects of either country dying in the other (Art. XV); and assistance to ships in distress (Art. XVII).

(h) General regulations for the conduct of Danish trade in Siam. (Annex.)

(i) Tariff schedules of inland and export duties. (Annex.)

Treaty with Spain.

No. 274.

Convention for regulation of commercial and maritime relations between Denmark and Spain.

SIGNED 4 July, 1893, at Madrid. Terminable on 12 months' notice by either party.^a (Art. XVII.)

TEXT: French and Spanish, Spain Tr. 10: 591-606; English (transl.), B. F. S. P. 85: 866-72.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) in whatever relates to articles of consumption, warehousing, reexportation, transit, transshipment of merchandise, and commerce in general. (Art. VI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Customs dues payable in either country on imported products of the other listed in Tables A and B annexed to this treaty, when imported direct by land or sea (Arts. IV, V), including consignments accompanied by direct bills of lading (Final protocol).

(b) Treatment of commercial travelers journeying in either country for firms established in the other, as regards their license. (Art. XIV.)

II. National treatment is reciprocally pledged in regard to:

(a) Succession dues payable in either country on property inherited by subjects of the other. (Art. II.)

(b) Indemnities payable in either country to citizens of the other for exceptional military requisitions under conditions stated. (Art. III.)

(c) Octroi dues levied in either country on any merchandise imported from the other. (Art. VIII.)

(d) Treatment of ships of either country in ports and waters of the other, from whatever place arriving and whatever their destination, with special reference to dues for lighthouse, tonnage, harbor, pilotage, tugs, quarantine, and all other charges on the hull of the ship, under whatever name and whether levied for the State by public officers, municipalities, or other corporations. (Art. X.)

(e) Any privilege or favor with respect to berthing, loading, and unloading of ships in ports or waters of either country, and all formalities and regulations to which merchant vessels, their crews, and cargoes are subject. (Art. X.)

(f) Dues payable by vessels of either country loading or discharging foreign cargo at different ports of the other on the same voyage, but coasting trade is excepted. (Art. XI.)

(g) Treatment of vessels of either country wrecked on coasts of the other, as regards dues and charges for salvage and preservation of the ship and cargo. (Art. XIII.)

^a Terminated. See Appendix.

III. Other provisions.

(a) Subjects of either country may dispose of their property in the other in any manner, or withdraw their capital from the country, and may take possession of inherited property in either country by will or otherwise. (Art. II.)

(b) Citizens of either country shall not be subject in the other to any embargo, or to be retained with their ships, crews, carriage, or merchandise for any military expedition or any public service, without indemnity to interested parties previously agreed on. (Art. III.)

(c) Codfish imported direct from a Danish port into Spain need not be accompanied by a certificate of origin. (Art. VI.)

(d) Drawbacks established on export products of either country shall not exceed the internal octroi rates levied on said products or materials employed in their manufacture. (Art. VII.)

(e) Merchandise of non-Danish origin imported direct from Denmark into Spain, by sea or land, shall pay in Spain no higher rates or imposts than similar merchandise imported by Spanish vessels from any other European country not coming direct, Denmark reserving the right to levy similar rates on non-Spanish merchandise imported direct from Spain into Denmark. (Art. IX.)

(f) Exemption of vessels from all tonnage and clearance dues in ports of either country under conditions stated. (Art. XII.)

(g) Assistance to vessels of either country seeking refuge in ports of the other from damage or shipwreck. Salvaged merchandise is exempt from customs duties unless cleared for consumption in the country. (Art. XIII.)

(h) Refund by either country of import duties on commercial travelers' samples from the other, on compliance with customs regulations relating thereto. (Art. XIV.)

IV. Exceptions.

(a) The provisions of this convention do not apply to:

(1) The coasting trade and fisheries in jurisdictional waters of either country. (Art. XI.)

(2) Arms and munitions of war. (Art. V.)

(b) Most-favored-nation provisions of Articles IV and V (noted under I *a* above) do not apply to benefits which may be conceded by Spain to Portugal, or by Denmark to Sweden or Norway. (Art. XVI.)

(c) Most-favored-nation provisions of Article VI (noted under I *a* above) do not apply to:

(1) Special concessions which either country may grant to bordering States to facilitate frontier commerce. (Art. VI.)

(2) Obligations of either country resulting from a customs agreement with a neighboring State. (Art. VI.)

V. Application to colonies, etc.—This convention applies also to Iceland, the Faroe Islands, and the Danish West Indian possessions, and Articles IV and V (noted under I *a* above) apply also to the Balearic and Canary Islands and the Spanish possessions on the coast of Africa. (Final protocol.)

Treaty with Sweden and Norway.

No. 275.

Treaty of commerce and navigation between Denmark and Sweden and Norway.

SIGNED 2 Nov., 1826, at Stockholm. Effective from 1 Jan., 1827, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. VIII.)

TEXT: French, B. F. S. P. 13:1040-5; Martens 14:1071-6; Sweden Tr. 1910:620-3; Norwegian, Norway Tr. 1914:45-7.

I. National treatment is reciprocally pledged in respect to:

(a) Dues for port, tonnage, lighthouse, pilotage, salvage, and any other dues or charges imposed in ports of either country on ships of the other. (Art. I.)

(b) Importation and exportation. Any objects of commerce which may lawfully be imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other (except importation of salt, and of Chinese merchandise imported direct from ports east of the Cape of Good Hope) without paying other or higher duties of any kind than when carried in national ships. (Arts. II, III.)

(c) Equal treatment of vessels of either country with regard to purchase of imported merchandise. No preference based on nationality of the vessel shall be given, directly or indirectly, for purchase of any merchandise lawfully imported, whether carried in vessels of either country. (Art. IV.)

II. Other provisions.

(a) Vessels of either country and their embarcations must establish their nationality as required by law before being entitled to the immunities and advantages accorded by this treaty. (Art. VII.)

(b) Subjects of either country to be exempt in the other from the *jus detractus*. (Separate article.)

(c) Specified Danish and Swedish boats not exceeding ten Danish tons plying between specified towns and customs districts are exempt from all port and tonnage dues under conditions stated. (Art. VI and decl. 25 June, 1869,¹¹³ and 2 Apr., 1873.^{113a})

(d) Danish and Swedish ships and steamers of whatever size and kind, trading between the towns and customs districts named, are to

¹¹³ French, B. F. S. P. 68:1295-6. Not included in Norway Tr., 1914.

^{113a} English, B. F. S. P. 75:996-7.

be treated on both sides, as regards ships' taxes, tonnage, fire duties, and all similar dues to the State (except customs duties), as if running between ports of the same country. This arrangement may be canceled by either party after six months' notice. (Decl. 5 Aug., 1879.¹¹⁴)

III. Territorial application.

Stipulations of Articles I to IV (noted above under I *a-c*) do not apply to Greenland, Iceland, or the Faroe Islands, nor to colonial possessions of either party. (Art. V.)

Treaty with Switzerland.

No. 276.

Treaty of friendship, commerce, and establishment between Denmark and Switzerland.

SIGNED 10 Feb., 1875, at Paris. Effective from 10 July, 1875, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. X.)

TEXT: French, Martens 51: 308-10; B. F. S. P. 66: 307-10; Danske Tr. (1863-79): 427-32.

I. Most-favored-nation treatment is reciprocally pledged regarding all advantages which either country may accord in matters of commerce or customs. (Art. VII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All duties payable in either country on products of the other, with reference to importation, exportation, warehousing, or transit. (Art. V.)

(b) All immunities and privileges accorded to consular officers by either country. (Art. IX.)

(c) Duties levied in Denmark or Danish colonies (except Greenland) on Swiss merchandise imported under the Swiss or Danish flags, or under the flag of a most-favored nation. (Art. VI.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged to citizens of either country regarding exercise of civil rights in the other (including all Danish colonies, except Greenland); with special reference to rights of residence, acquisition of property by purchase or inheritance, alienation of movable or immovable property, access to courts of justice, exercise of any authorized profession, and payment of duties, imposts, etc. (Arts. I, II, VII, and addl. art. annexed.)

III. National treatment is reciprocally pledged in respect to:

(a) Treatment of Swiss merchandise in case of shipwreck and salvage on Danish coasts. (Art. VI.)

¹¹⁴ English, B. F. S. P. 75: 997. Not included in Norway Tr., 1914.

(b) Obligations of citizens of either country in the other in all that concerns quartering of troops and other military contributions in kind. (Art. VIII.)

(c) Laws and usages of either country to which consuls of the other must submit in respect of their private and commercial affairs. (Art. IX.)

IV. Other provisions.

(a) Swiss citizens can not settle or exercise commerce in Greenland without special authorization from Denmark. (Art. I.)

(b) Citizens of either country desiring to settle in the other must present certificates of nationality in proper form issued by the competent authority. (Art. III.)

(c) Citizens of either country residing in the other, and desiring to return to their home country, or when returned by judicial sentence or police regulations, must be received with their wives and children by their native land at all times and in all circumstances. (Art. IV.)

(d) Citizens of either country are exempt in the other (except in the Danish West Indies) from all military service by land or sea, and from all contributions in substitution therefor. (Art. VIII.)

(e) Danish merchandise to be freely admitted into Switzerland. Similarly, Swiss products to be admitted into Denmark and Danish colonies (except Greenland), on condition of their being imported in Swiss, Danish, or other vessels having open access to Danish ports, in which case they pay the same duties and receive the same treatment as products of the country to which the vessel belongs. (Art. VI.)

Treaties with the United States of America.

Treaties of Denmark with the United States have been previously dealt with in this volume under America, United States of, Nos. 16 and 17.

DOMINICAN REPUBLIC.

Treaty with Italy.

No. 277.

Treaty of commerce and navigation between the Dominican Republic and Italy and act additional thereto.

SIGNED 18 Oct., 1886, and 5 Jan., 1889,¹¹⁵ respectively. Effective from 14 June, 1890, for 10 years and thereafter terminable on 12 months' notice by either party. (Art. XXIX.) Denounced by the Dominican Republic on 18 July, 1900, but revived by declaration of 15 July, 1903,¹¹⁶ pending conclusion of a new treaty. (Italy Tr. 1911, II: 758.)

TEXT: Italian, Italy Tr. 1911, II: 758-72; Martens 68:663-72; Spanish, Dominican Republic Tr. Int. 1896:82-92; English (transl.), B. F. S. P. 81:150-60.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all rights and favors concerning commerce, navigation, and consular matters (Art. XXVI); except special concessions or favors which either country may grant by treaties to neighboring nations (Addl. act,¹¹⁵ Art. VIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All articles of commerce which may be lawfully imported into or exported from either country in any foreign vessels may likewise be imported or exported in Italian or Dominican vessels, from whatever place arriving and for any destination; except sanitary restrictions to prevent spread of epidemic diseases or destruction of crops and restrictions demanded by war contingencies. (Art. V.)

(b) All duties imposed by either country on importation of products of the other. (Art. V.)

(c) All duties payable in either country on exportation of any articles to the other. (Art. V.)

(d) Facilities for entrance or clearance of each other's steamships engaged in periodical service between the two countries (Art. XIII); except facilities and privileges which either country may grant to natives or foreigners who may offer to establish special lines of steamers, or which are granted by the law regulating maritime commerce (Addl. act,¹¹⁵ Art. IV.)

(e) Treatment of warships of either country entering and visiting ports, rivers, and waters of the other. (Art. XIV.)

(f) Appointment of consular officers and all powers, prerogatives, immunities, and privileges granted to them by either country. (Art. XV.)

¹¹⁵ English, B. F. S. P. 81:160-2; Spanish, Dominican Republic Tr. Int. 1896:92-4.

¹¹⁶ English, B. F. S. P. 98:73-4.

II. National or most-favored-nation treatment (at claimant's option) is reciprocally assured to citizens of either country regarding all charges payable on real or personal property in the other. (Art. III.)

III. National treatment is reciprocally pledged in general terms respecting all rights, privileges, liberties, favors, immunities, and exemptions which either country may grant in matters of commerce, navigation, or industry, and all taxes or imposts relating thereto. (Arts. I, II.)

National treatment is further reciprocally pledged in regard to:

(a) Access with ships and cargoes to all places, ports, and rivers open to natives in either country; and right to remain there, subject to the laws and regulations in force. (Art. I.)

(b) Right of citizens of either country to travel and reside in the other; to conduct business by wholesale or retail in person or otherwise in any capacity; to lease and occupy houses, warehouses, and shops; transport merchandise and money; receive goods on deposit from any source; and to buy, sell, and fix the price of property, merchandise, and articles of any kind, whether sold at home or exported, without paying other charges, taxes, contributions, or imposts than native citizens pay, and subject to the laws and regulations in force. (Art. II.)

(c) All rights, privileges, and conditions regarding protection and security of persons and property in either country. (Art. III.)

(d) All duties imposed, and all exemptions, bounties, or drawbacks allowed by either country on importation or exportation of any articles of commerce, whether carried in vessels of either nation. (Art. V.)

(e) Right of vessels of either country to unload goods in ports of the other, and payment of duties relating thereto. (Art. VII.)

(f) All duties for tonnage, harbor, lighthouse, pilotage, quarantine, and dues of any kind payable by merchant vessels of either country in ports of the other, whether collected for the government, for public officials, or for communes, corporations, or establishments of any kind. (Art. VIII.)

(g) All privileges, favors, or advantages granted by either country to mercantile vessels and their import or export cargoes, with reference to loading and unloading of vessels, and tariffs or charges of any kind in ports, docks, rivers, etc., of either country, including all formalities or dispositions affecting merchant vessels and their crews or cargoes. (Art. VIII.)

(h) Assistance and protection from local authorities in either country to citizens and vessels of the other in case of damage or shipwreck. (Art. X.)

(*i*) Exercise of civil rights in either country by citizens of the other, including right to possess and dispose of property of all kinds in any manner whatever, and right to transmit the same or succeed thereto by will or otherwise, in accordance with laws of the State to which they belong, and payment of taxes or imposts relating thereto. (Art. XVI.)

(*j*) Treatment by local authorities in either country of property left by deceased nationals of the other, under conditions stated. (Art. XVIII.)

(*k*) All conditions, restrictions, or taxes regarding access to courts of justice and judicial procedure relating thereto, including gratuitous judicial assistance in either country to indigent citizens of the other. (Art. XX.)

(*l*) Support or relief in either country to destitute citizens of the other in case of physical or mental illness, until their repatriation can be safely effected; but without reimbursement from any public fund of the country to which the destitute person belongs. (Art. XXV.)

IV. Other provisions.

(*a*) Exemption of each other's citizens from compulsory military service by land or sea; from all contributions imposed as compensation for personal service; from all judicial or municipal functions; and from all requisitions and extraordinary contributions, except those imposed in respect to landed property. (Art. III.)

(*b*) Exemption in either country of vessels, cargoes, merchandise, and effects belonging to citizens of the other from embargo or seizure for military expeditions, or for any public service whatever, without indemnity paid as agreed in advance. (Addl. act,¹¹⁵ Art. II.)

(*c*) Exemption of goods of any kind passing to or from either country from all transit duties in the other. (Art. V.)

(*d*) Neither State to grant monopolies which may injure the commerce of the other, except government monopolies of either country, and introduction or application of patents for inventions. (Art. VI.)

(*e*) Consular supervision of salvage operations in case of damaged or shipwrecked vessels. (Art. X.)

(*f*) Nationality of merchant vessels under flag of either country to be recognized by the other if carrying ship's papers required by law. (Art. XII.)

(*g*) Local authorities to assist consuls in administration of estates of deceased nationals. (Arts. XVII, XVIII.)

(*h*) In case of rupture or war between the two countries citizens of either may remain and continue their business or industry in the other so long as they conform to the laws concerning security of the

¹¹⁵ English, B. F. S. P. 81 : 160-2; Spanish, Dominican Republic Tr. Int. 1896 : 92-4.

State. In case of expulsion for transgression of such laws, they are allowed six months to wind up their affairs and retire with their families and property. (Art. XXVII.)

(i) The Dominican Government undertakes to ascertain that proposed agreements engaging Italian emigrants for service in the Republic are fair and scrupulously carried out, and to see that the transport, landing, and settling of such emigrants are conducted with humanity and in accordance with rules of hygiene and safety; also to punish severely those who in any way deceive or ill-treat these emigrants, and to help them secure proper damages from the responsible party. (Addl. act,¹¹⁵ Art. IX.)

(j) Detailed provisions relating to voluntary engagements of sailors for completion of crews (Art. XI); validity in both countries of judicial sentences and ordinances respecting civil and commercial matters, and of all notarial acts, on condition of conforming to the procedure described (Arts. XXI-XXIII); and arbitration of controversies respecting interpretation, execution, or violation of this treaty (Art. XXVIII).

V. Exceptions.—Stipulations for reciprocal national treatment of vessels of either country engaged in commercial operations in the other, noted above under III, do not apply to the coasting trade of either country, which is reserved for their own vessels and for regulation by their respective laws. (Addl. act,¹¹⁵ Art. III.)

¹¹⁵ English, B. F. S. P. 81:160-2; Spanish, Dominican Republic Tr. Int. 1896:92-4.

ECUADOR.

Treaties with Belgium to Colombia.

Treaties of Ecuador with the following countries have been previously dealt with in this volume under:

Belgium, No. 97.

Bolivia, No. 128.

Colombia, No. 245.

Treaty with France.

No. 278.

Convention of commerce and navigation between Ecuador and France.

SIGNED 30 May, 1898, at Quito. Ratifications exchanged there 14 Jan., 1903. Terminable on 12 months' notice by either party. (Art. III.)

TEXT: French, France Tr. I: 741-2; B. F. S. P. 92: 1040-1.

Most-favored-nation treatment is reciprocally guaranteed in regard to:

(a) Establishment of nationals of either country in the other, with special reference to exercise of commerce and industries. (Art. I.)

(b) All matters of commerce and navigation, with special reference to importation, exportation, and transit (Art. I); except the coasting trade of both countries, which is reserved for regulation by their respective laws. (Art. II.)

(c) All that concerns customs duties and commercial operations in either country. (Art. I.)

(d) Payment of taxes connected with any of the forementioned matters. (Art. I.)

Treaty with Germany.

No. 279.

Treaty of friendship between Ecuador and Germany.

SIGNED 28 Mar., 1887, at Berlin. Effective from 29 Mar., 1888, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. IV.)

TEXT: German, Hdv. 1906: 191-2; Spanish, Ecuador Tr. 2: 5-8; English (transl.), B. F. S. P. 78: 95-6.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all rights and favors which either country may grant to any third power in all that relates to commerce and navi-

gation, or to consular and industrial matters; except facilities which either country may grant exclusively to bordering States for the purpose of promoting the frontier traffic. (Art. II.)

II. Other provisions.—Both countries reserve the right not to admit, or to expel, in accordance with their respective laws, persons who by their manner of life or conduct may be considered prejudicial. (Art. III.)

Treaty with Italy.

No. 280.

Treaty of commerce and navigation between Ecuador and Italy, and convention additional thereto.

TREATY signed 12 Aug., 1900, at Quito. Additional convention signed 26 Feb., 1911.¹¹⁷ Effective from 28 June, 1906, indefinitely, subject to termination on 12 months' notice by either party. (Treaty of 1900, Art. III.)

TEXT: Italian, Italy Tr. 1911, I:353-5; Martens 84:408-9; English (transl.), B. F. S. P. 101:371.

I. Most-favored-nation treatment is reciprocally pledged in regard to:

(a) All that concerns establishment of each other's nationals in all matters of commerce and navigation (Art. I); except the coasting trade of both countries, which is reserved for regulation by their respective laws. (Art. II.)

(b) All matters concerning importation, exportation, and transit of merchandise. (Art. I.)

(c) All that relates to customs duties, commercial operations, exercise of trade and industry, and payment of taxes relating thereto. (Art. I.)

II. Other provisions.—Italian sparkling wines to pay in Ecuador one-half the customs duties imposed on champagne, and one-half of any additional surcharges. (Addl. conv. of 1911.¹¹⁷)

Treaty with Japan.

No. 281.

Treaty of friendship, commerce, and navigation between Ecuador and Japan.

SIGNED 26 Aug., 1918, at Washington. Ratifications exchanged there 31 Mar., 1919. Terminable on 12 months' notice by either party. (Art. XV.)

TEXT: English (authentic) and Spanish, Japan Tr. 1918:600-10.

I. Most-favored-nation treatment (as defined) is reciprocally but conditionally pledged in general terms with regard to any favor, privilege, or immunity which either country may grant to citizens of any European or American nation in matters relating to commerce, navigation, industry, and travel or residence in territories of either country. (Art. IV.)

¹¹⁷ English, B. F. S. P. 105:971.

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Appointment of consular officers, and all rights, privileges, exemptions, or immunities accorded by either country to diplomatic and consular officers. (Art. II.)

(b) Right to enter freely and securely, with ships and cargoes, all places, ports, rivers, and straits, and to reside at all places and ports open to foreigners in territories of either country. (Art. III.)

(c) All that relates to pursuit of industries, callings, professions, and educational studies in either country, in all respects. (Art. III.)

(d) Acquisition and possession of property of all kinds, real or personal, on condition of reciprocity, and subject to conditions and limitations prescribed by law in either country. (Art. III.)

(e) Duties imposed by either country on importation of products of the other, whether destined for consumption, warehousing, re-exportation, or transit. (Art. VI.)

(f) Duties or charges imposed by either country on exportation of any article to the other. (Art. VI.)

(g) Any prohibitions imposed by either country against importation or transit of products of the other, or against exportation of any articles to the other. (Art. VI.)

(h) All that relates to transit, warehousing, bounties, facilities, drawbacks, reexports, and transit duties. (Art. VII.)

(i) Duties or charges on account of tonnage, light, harbor, pilotage, quarantine, salvage, and all similar duties or charges of whatever nature, no matter by whom or how levied, imposed in any of the ports, rivers, or straits of either country on ships of the other. (Art. VIII.)

(j) Any favors or privileges which either country may concede in respect of its coasting trade. (Art. IX.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to any forced loans or military requisitions and contributions incumbent on possession or occupation of immovable property in either country. (Art. XIV.)

III. National treatment is reciprocally pledged with regard to:

(a) Disposal in any manner of all kinds of property lawfully acquired in either country, including export of proceeds if sold, and all duties relating thereto. (Art. III.)

(b) Exemption of dwellings and other premises used for lawful purposes for domiciliary visits or search, and of books, papers, or accounts from inspection or examination, except under conditions and with legal forms prescribed by the laws for native citizens. (Art. V.)

(c) All rights and privileges concerning administration of justice, with special reference to security and protection of persons and property and access to courts, in person or otherwise. (Art. XII.)

IV. Other provisions.

(a) Citizens of either country may hire and occupy houses, factories, warehouses, shops, and premises in the other, and lease land for residential, commercial, industrial, and other lawful purposes; also carry on commerce and manufacture, and trade by wholesale or retail in all kinds of merchandise of lawful commerce. (Art. III.)

(b) Nationality of vessels to be recognized in accordance with laws and regulations of each country. (Art. X.)

(c) Subjects and merchant vessels of either country shall be subject in the other to the laws and jurisdiction of the latter, except in matters relating exclusively to the internal discipline of merchant vessels of either country in ports or territorial waters of the other. (Art. XI.)

(d) Citizens of either country to enjoy in the other complete liberty of conscience, right of private or public exercise of religious worship, and right of burial according to religious customs in suitable and convenient places established and maintained for the purpose, subject to the laws and regulations in force. (Art. XII.)

(e) Limited liability and other commercial, industrial, and financial companies and associations duly constituted in either country are authorized to exercise their rights in the other conformably to its laws, with special reference to actions in courts of justice. (Art. XIII.)

V. Exceptions.—The coasting trade of both countries is excepted from the provisions of this treaty; but most-favored-nation treatment is reciprocally pledged in respect thereof. (Art. IX.)

Treaty with Mexico.

No. 282.

Treaty of friendship, commerce, and navigation between Ecuador and Mexico.

SIGNED 10 July, 1888, at Washington. Ratifications exchanged 26 Nov., 1890. Effective for 10 years, and thereafter terminable on 12 months' notice by either party. (Art. XI.)

TEXT: Spanish, Mexico Tr. 1: 193-212; Martens 68: 750-3; English (transl.), B. F. S. P. 79: 144-7.

I. Most-favored-nation treatment is reciprocally pledged respecting all rights and privileges in regard to:

(a) Acquisition of landed property and of literary rights. (Art. II, 1.)

(b) Exemption from personal service, military, naval, or other. (Art. II, 2.)

(c) Payment of import, export, and transit duties; also port dues, such as lighthouse, tonnage, anchorage, pilotage, etc. (Art. II, 3.)

(d) Trading and shipping in the cities, ports, rivers, or other places of either country. (Art. II, 4.)

(e) Privileges, favors, and exemptions extended by either country to envoys, ministers, and public agents. (Art. III.)

(f) Rights, privileges, and immunities conceded by either country to consular officers. (Art. IV.)

(g) Honors, advantages, privileges, and exemptions accorded by either country to warships. (Art. VIII.)

(h) All privileges other than those noted under I *a-d* above conceded to the citizens of either country by its treaties with other nations. (Art. II, 5.)

II. National treatment is reciprocally pledged in regard to:

(a) Travel and residence in any part of either country. (Art. I, 1.)

(b) Civil rights relating to persons and properties, such as buying and selling, exercising trades or professions, leaving property in succession, and conducting judicial business, personally or by attorney. (Art. I, 2.)

(c) Patents for inventions, labels, trade-marks, and drawings. (Art. I, 3.)

(d) Payment of duties, taxes, imposts, and all manner of dues. (Art. I, 4.)

(e) Treatment, trial, and punishment of citizens of either country taking part in the civil wars or internal politics of the other. (Art. VI.)

(f) All other matters in which the law of the country puts foreigners on a level with natives. (Art. I, 5.)

III. Other provisions.

(a) Diplomatic representatives of either nation not to intervene officially in questions within the province of the civil or criminal courts, except in case of denial of justice or delay in administering same, or in case of evident violation of existing treaties or of international law, public or private. (Art. III, 2.)

(b) Both Governments decline responsibility for damage, oppressions, or exactions suffered by citizens of either country in the other from insurgents during revolution, civil war, etc.; except in case of default or negligence of governmental authorities. (Art. III, 3.)

(c) Rights of succession to movable property of citizens of either country in the other shall be determined by authorities of the country where the goods may be, but according to laws of the State to which the deceased belonged. (Art. V, 2.)

(d) Both countries may refuse to admit, or may expel in accordance with their respective laws, individuals who on account of their evil conduct may be considered pernicious. (Art. VII.)

Treaty with Switzerland.

No. 283.

Treaty of friendship, establishment, and commerce between Ecuador and Switzerland.

SIGNED 22 June, 1888, at Paris. Effective from 21 Oct., 1889, until 13 July, 1899, and thereafter terminable on 12 months' notice by either party. Modifications not inconsistent with the spirit and principles of the treaty may be introduced at any time by mutual agreement as experience may suggest. (Art. V.)

TEXT: French and German, Martens 67:177-8; French, B. F. S. P. 79:261-3.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all rights and advantages relating to commerce and navigation, consular matters, establishment of each other's nationals, exercise of commercial and industrial professions, and (subject to observing the laws and established customs of the country) in all that concerns burials, cemeteries, and freedom of religious belief in either country, except special favors which either nation may accord exclusively to bordering States to facilitate frontier traffic. (Art. II.)

II. Other provisions.—Both countries reserve the right to expel, or not to admit, persons who because of pernicious antecedents or conduct may be considered dangerous. (Art. III.)

EGYPT.

Treaties with America, United States of, to Russia.

Treaties of Egypt have been previously dealt with in this volume under British Empire.

ETHIOPIA (ABYSSINIA).

Treaties with America, United States of, to British Empire.

Treaties of Ethiopia with the following countries have been previously dealt with in this volume under:

America, United States of, No. 19.

Austria-Hungary, No. 70.

Belgium, No. 99.

Great Britain (under British Empire), No. 153.

Treaty with Germany.

No. 284.

Treaty of friendship and commerce between Ethiopia (Abyssinia) and Germany.

SIGNED 7 Mar., 1905, at Addis Abbaba. Effective from 16 June, 1906, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. VI.)

TEXT: German, Hdv. 1906:8-10; English (transl.) B. F. S. P. 98:414-16.

I. Most-favored-nation treatment is reciprocally pledged by either country to the subjects and protected persons of the other with regard to all rights, advantages, and privileges which either party may confer on the subjects of any third State, especially as regards customs duties, internal taxes, and jurisdiction. (Art. III.)

II. National or most-favored-nation treatment (optional).—German subjects and protected persons in Abyssinia are to have the right of using telegraphic, postal, and other means of communication on the same conditions and for the same fees as natives or subjects of a third State. (Art. IV.)

III. Other provisions.

(a) Subjects and protected persons of either country are to enjoy in the other full liberty of residence, travel, commerce, and industry. (Art. I.)

(b) Security of person and property is promised by either country to the subjects and protected persons of the other. (Art. II.)

(c) Right of either country to appoint properly authorized representatives in the other, who may at all times visit every part of the country. (Art. V.)

Treaty with Great Britain.

See No. 153.

Treaties with the United States of America.

Treaties of Ethiopia with the United States have been previously dealt with in this volume under America, United States of, No. 19.

FINLAND.

Treaty with France.

No. 285.

Commercial convention between Finland and France.

SIGNED 13 July, 1921, at Paris. Effective from 21 July, 1921, for one year and thereafter by tacit renewal for periods of three months, unless denounced by either party six months before the end of the first year, or two months before expiration of each subsequent three-monthly period. (Art. 22.)

TEXT: French and Finnish, Finlands Forfatningssamling 1921, No. 187.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged (subject to exceptions noted below under V *a-c*) with regard to any favor, privilege, or reduction of duties which either country may accord to another power respecting dues for octroi, excise, and all accessory and local duties on importation, exportation, reexportation, transit, and warehousing of any merchandise, whether mentioned or not in this convention; or concerning transshipment of merchandise and fulfillment of customs formalities. (Art. 12.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) All duties, taxes, surtaxes, or augmentations thereof which Finland may impose, under whatever name, on importation of products originating in and coming from France or French colonies and possessions; or on importation of coffee, tea, spices, tobaccos, cotton, wool, silks, and rubber of whatever origin when imported into Finland from any country by French commercial houses entered on the commercial register of France. (Art. 1, and List D.)

(b) All duties, taxes, surtaxes, or augmentations thereof payable in France or French colonies and possessions, under whatever name, on importation of specified Finnish products when imported from Finland. (Art. 3, and List B.)

(c) All duties and taxes payable on exportation of products exported from territories of either country to territories of the other. (Art. 5.)

(d) Any prohibition which either country may impose or maintain, even temporarily, against importation of products of any kind originating in and coming from the other. (Art. 8.)

(e) Application of conditions concerning official price control. Whenever either party may subject importation or exportation of certain products or merchandise to price control by governmental

authority, the conditions applicable to the other party shall be the most favorable applied to any third power or its nationals. (Art. 9.)

(f) Treatment of nationals of either country in the other, with special reference to payment of duties, taxes, and imposts, under whatever name. (Art. 19.)

(g) Rights which civil, commercial, and insurance companies and associations duly constituted in either country may exercise in the other in accordance with laws of the latter; with special reference to access to tribunals, and payment of duties, taxes, and imposts, under whatever name. (Art. 20.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with reference to railway rates and accessory charges to be applied by either country to merchandise imported or exported in accordance with provisions of Articles 1-9 of this convention. (Art. 10.)

III. National treatment is reciprocally pledged with regard to:

(a) All matters concerning consumption duties in either country. (Art. 12.)

(b) Treatment of citizens of either country attending fairs or markets in the other to exercise their commerce or sell their products; with special reference to payment of taxes. (Art. 18.)

(c) Duties, taxes, and imposts payable, under whatever name, by civil, commercial, and insurance companies or associations of either country on their establishments and operations in the other. (Art. 20.)

IV. Other provisions.

(a) The reductions specified in Finland's order of 15 Mar., 1921, are assured to a long list of products originating in and coming from France or French colonies and possessions. But food products and raw materials enumerated in List D of this convention are entitled to these reductions only when accompanied by certificates of origin certifying that they were produced in territories placed under French authority. (Art. 2, and List A.)

(b) Products originating in and coming from Finland enumerated in List C annexed to this convention, when imported into France or French colonies and possessions, are entitled to the reductions indicated in said list, based on percentages to be applied as described. (Art. 4.)

(c) Reductions of export taxes imposed by Finland on wood pulp, cellulose, and hair of animals exported to France or French colonies and possessions. (Art. 5.)

(d) Extensive and detailed stipulations by which Finland agrees to buy from France all wines and spirits required for lawful consumption, except certain specialties not produced in France. The Finnish social ministry shall establish a department where French

producers and merchants may exhibit or submit samples of their products. Whatever régime may be adopted in Finland for importation of spirits and wines, persons and institutions authorized to sell these products to the Finnish public, or to employ them for industrial, pharmaceutical, scientific, or technical purposes, shall always have the right to demand that their requirements of said products be supplied by French houses designated by them. (Art. 6.)

(e) Any import or export prohibitions which either party may establish shall be applied so as to inflict the least possible injury on the commercial relations between the two countries. Merchandise originating in and coming from France or French colonies and possessions, when imported into Finland for warehousing and reexportation to bordering countries, is exempt from all import or export prohibitions or restrictions and from all import and export duties, and is subject to no special tax other than those imposed on warehoused merchandise destined for consumption in Finland. (Art. 7.) Nevertheless, import and export prohibitions shall be applicable to merchandise imported or exported under conditions above stated when occasioned by considerations of:

(1) Security of the State.

(2) Sanitary police, or to protect animals and plants from epizootic and epiphytic diseases. (Art. 7.)

(f) Products of either country imported into territories of the other and destined for warehousing or transit shall be exempt from all customs duties and internal dues, except taxes or charges for stamping, registration, statistics, etc. (Art. 11.)

(g) In order to reserve the benefits of this convention for their respective products and to prevent fraud by indirect transportation, certificates of origin may be required by either country to accompany merchandise imported into its territory, as described in detail. (Art. 13.)

(h) Each country undertakes to adopt all necessary measures to protect products of the other from all unfair competition in commercial transactions, and to prohibit and suppress by seizure and other appropriate remedies the importation, warehousing, exportation, manufacture, distribution, or sale in its territory of all goods bearing marks or descriptions calculated to convey a false indication of origin, type, nature, or special characteristics of such goods. (Art. 15.)

(i) For the protection of indications of origin, both countries undertake to observe all provisions of the act of Madrid of 14 April, 1891, and to respect each other's laws and decisions duly communicated by the proper authorities defining or regulating the right to regional appellations (as defined in detail) for all products deriv-

ing their special qualities from the soil or climate, or defining the conditions under which a regional appellation may be authorized; and further undertake to prohibit the importation, warehousing, exportation, manufacture, distribution, or sale of articles bearing regional appellations contrary to such laws and decisions. (Art. 16.)

(j) Both countries undertake to give effective application to specified international conventions for protection of industrial property, and of literary and artistic works. (Art. 17.)

(k) Extensive and detailed provisions concerning exemption of commercial travelers' samples from customs duties in either country, subject to laws and regulations relating thereto. Merchants, manufacturers, and their commercial travelers of either country must be provided with a legitimation certificate in the form prescribed. (Art. 18.)

V. Exceptions.

(a) Most-favored-nation provisions of Articles 1-14 (noted above under I, and I *a-e*) do not exclude the preferential régime which either party may accord to frontier traffic within a zone 15 kilometers wide. (Art. 14.)

(b) France can not claim the benefit of any customs preference or facilities of any kind which Finland may accord to Esthonia in order to conserve its traditional exchanges with that country. (Ibid.)

(c) Finland can not claim the benefit of preferential advantages which France may accord through economic unions to bordering countries. (Ibid.)

Treaty with Russia.

No. 286.

Treaty of peace between Finland and Soviet Russia.

SIGNED 14 Oct., 1920, at Dorpat. Ratified by the Soviet Government 23 Oct., 1920. No time limit stated; but the temporary commercial provisions of Art. XXXII may be terminated by either party on six months' notice. (Art. XXXII.)

TEXT: English (transl.), Soviet Russia, 15 Jan., 1921: 68-72.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) Rights and privileges of Finnish citizens and companies (as defined) in regard to their property in Russia, and regarding their claims and other demands from the Russian State or its State institutions. (Art. XXVIII.)

(b) Treatment of each other's citizens engaged in the rafting of timber in waters flowing from either country into or through the other as far as the sea. (Art. XXI.)

(c) Charges which either country may impose on vessels of the other and their cargoes for use of its ports and harbor establishments,

or for navigating through its territorial and inland waters, rivers, and canals, except traffic by coastal craft (as defined) and fishing vessels. (Art. XXXII, 6.)

II. National or most-favored-nation treatment is reciprocally pledged regarding freight rates and fees payable on goods of either country in transit or transported on State railroads or State ships of the other under conditions stated. (Art. XXXII, 2.)

III. National treatment is reciprocally pledged as follows:

(a) Russia grants Finnish trading and freight vessels unhindered passage on the Neva River between the Gulf of Finland and the Ladoga on the same conditions as Russian vessels, on condition of their not transporting war materials or military supplies. (Art. XVII.)

(b) Russian trade and passenger vessels are allowed free passage in all channels of traffic within Finnish territorial waters open to Finnish vessels on condition of complying with by-law regulations for foreign vessels. (Art. XXXII, 6.)

IV. Other provisions.

(a) Extensive and detailed stipulations relating to fishing rights in specified territorial waters (Art. VII); free passage and transport of goods between Russia and Norway (Art. VIII); neutralization of the Gulf of Finland and the Baltic and of specified islands therein (Arts. XII-XV).

(b) Provisions concerning appointment of mixed committees and formulation of agreements to deal with customs inspection, fishing, passports, frontier trade, transportation and rafting of timber, renewal of economic relations, railroad traffic, postal and telegraphic communication, and diplomatic and consular relations between the two countries. (Arts. XIX-XXI, XXXI-XXXVII.)

(c) Prohibitive measures concerning import, export, or transit are allowed only to the extent required by legislation concerning public safety, public health, alcoholic liquors, and adjustment of the economic life of the country. (Art. XXXII, 4.)

(d) Both parties reserve the privilege of subjecting certain commercial and industrial fields to a monopoly. (Ibid., 5.)

(e) Finnish raw materials, home industry, and manufacture are, when exported to Russia, freed from all customs and other import duties. (Ibid., 7.)

FRANCE.

Treaties with America, United States of, to Finland.

Treaties of France with the following countries have been previously dealt with in this volume under:

America, United States of, Nos. 20 and 21.	China, Nos. 229 and 230.
Argentina, No. 55.	Colombia, No. 246.
Austria, No. 63.	Costa Rica, No. 254.
Austria-Hungary, Nos. 71 and 72.	Czechoslovakia, Nos. 257 and 258.
Belgium, No. 100.	Denmark, No. 260.
Bulgaria, No. 210.	Ecuador, No. 278.
Canada (under British Empire), No. 201.	Finland, No. 285.

Treaty with Germany.

See Treaty of Versailles, No. 314.

Treaties with Great Britain.

See Nos. 154 to 163.

Treaty with Greece.

No. 287.

Exchange of notes between France and Greece concerning commercial relations and industrial property.

EXCHANGED 20 Feb., 1891, at Athens. Arrangement extended by agreements of 20 Jan., 28 July, 16 Dec., 1892.¹¹⁸

TEXT: French, France Tr. II:610; French and Greek, Greece Tr. 1912:296-301.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) to the citizens, vessels and merchandise of either country, with regard to importation, exportation and transit, and generally in all matters concerning commercial operations, exercises of commerce and industry, and payment of taxes and other imposts; with special reference to customs tariffs and protection of industrial property. (Art. 1.)

II. Other provisions.

(a) Exemption of French wines from duties imposed by Article 144 of the Greek tariff of 1887. (Art. 2.)

(b) Reduction of 75 per cent from Greek import duties is accorded to specified French fabrics. (Art. 3.)

(c) Reduction of 50 per cent from Greek import duties is accorded to French velvets, specified silk fabrics, and perfumes. (Art. 4.)

¹¹⁸ French, France Tr. II:609-10; French and Greek, Greece Tr. 1912:300-5.

III. Exceptions.

The fishing industry and coasting trade of both countries remain subject to their respective laws. (Ibid.)

Treaty with Haiti.

No. 288.

Commercial convention between France and Haiti.

SIGNED 30 Jan., 1907, at Port au Prince. Ratifications exchanged 23 Oct., 1907, at Paris. Effective until 23 Nov., 1910, and thereafter until terminated by six months' notice from either party. (Art. VI.)

TEXT: French, France Tr. II: 628-33; B. F. S. P. 100: 911-13.

I. Most-favored-nation treatment is reciprocally pledged as follows:

(a) Haitian products listed in Table A annexed to this convention are to be admitted into France and Algeria at the lowest tariff rates applicable to similar products of any other foreign origin. (Art. I.)

(b) Reciprocally, products of France and Algeria listed in Table B annexed to this convention are to be admitted by Haiti at a reduction of $33\frac{1}{3}$ per cent from the import duties or charges provided in the Haitian minimum tariff, as fixed by the law of 6 Sept., 1906. (Art. II.)

(c) Both countries undertake to concede to each other the benefit of any advantage or tariff reduction which either may accord to any third power with regard to any of the articles listed in Tables A and B annexed to this convention. (Art. V.)

II. Other provisions.

(a) French wines imported in casks pay one-fifth of the existing duty, while champagne and sparkling wines pay one-third. (Art. III.)

(b) Detailed provisions respecting certificates of origin and procedure relating thereto. (Art. IV.)

(c) Haiti undertakes not to increase during the life of this convention the principal tariff duties on French articles listed in Table B, nor those applying to French wines of any origin, nor the tonnage duties. (Art. V.)

Treaty with Honduras.

No. 289.

Commercial convention between France and Honduras.

SIGNED 11 Feb., 1902, at Tegucigalpa. Ratifications exchanged 21 Mar., 1905, at Paris. Duration indefinite. Subject to termination on 12 months' notice by either party. (Art. IV.)

TEXT: French, France Tr. II: 649-50; B. F. S. P. 95: 1003-4.

I. Most-favored-nation treatment is reciprocally pledged regarding customs duties which either country may impose on importation of products of the other; except that Honduras may give preference to products of other Central-American Republics. (Arts. I, II.)

II. Other provisions.—Certificates of origin to be visés by the respective consuls free of consular fees. (Art. III.)

III. Application to colonies, etc.—This convention applies to Algeria, the French colonies and possessions, and the protectorates of Indo-China and Tunis. (Arts. I, II.)

Treaty with Hungary.

See Treaty of Trianon, No. 355.

Treaty with Italy.

No. 290.

Commercial modus vivendi, established by exchange of notes between France and Italy.

SIGNED 21 Nov., 1898, at Paris. Made operative by French decree of 7 Feb., 1899, and Italian decree of 11 Feb., 1899. Terminable on three months' notice by either party.^a (France Tr. II, 760, footnote.)

TEXT: French, France Tr. II:760-2; Clercq 21:448-9; B. F. S. P. 101:317-18; Italian, Italy Tr. 1911, I:391-462.

Most-favored-nation treatment is reciprocally pledged regarding customs treatment of each other's products (except silk and silk goods).

Treaty with Japan.

No. 291.

Convention of commerce and navigation between France and Japan.

SIGNED 19 Aug., 1911. Effective from 29 Feb., 1912, for 10 years, and thereafter terminable on 12 months' notice by either party; except that Article V (regarding import and export duties) is terminable at any time on 12 months' notice (Art. XX), and except also provisions of annexed protocol regarding termination of certain articles on 5 months' notice under conditions stated (Protocol, Arts. III, IV).

TEXT: French, France Tr. III:4-15; Japan Tr. 1918:221-35; B. F. S. P. 105:601-12.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged respecting all privileges, favors, or immunities which either party may accord in any matters concerning commerce, navigation, or industry. (Art. XVII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Exercise of industry, trades, or professions, and pursuit of scientific studies or investigations in either country. (Art. I, 3.)

(b) Conditions or restrictions concerning acquisition and possession of property of all kinds, movable or immovable, on condition of reciprocity. (Art. I, 5.)

(c) Forced loans and exceptional military contributions incumbent on possession of landed property in either country. (Art. I, 7.)

(d) Right to enter with ships and cargoes all places, ports, and rivers open to foreign commerce, subject to the laws of the country. (Art. III.)

^a To terminate 1 Mar., 1922. See Appendix.

(e) Import duties levied by either country on products of the other. (Art. V.)

(f) Export duties levied by either country on merchandise exported to the other. (Art. V.)

(g) Exceptional prohibitions or restrictions which either country may impose on imports, exports, or transit of merchandise, as noted under IV *c* below. (Art. VI.)

(h) Treatment by either country of merchants, manufacturers, or commercial travelers from the other. (Art. IX.)

(i) All facilities, privileges, and immunities granted in territorial waters of either country to vessels charged with a regular postal service of either party, whether State-owned or subsidized by the State for the purpose. (Art. XIV.)

(j) Any rights or privileges which either nation may grant in respect to its coasting trade. (Art. XV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) All imposts, taxes, charges, or contributions of any kind imposed in either country on citizens of the other. (Art. I, 8.)

(b) Internal duties of excise, octroi, or consumption, imposed by the State or by communes or corporations in either country. These must not bear more heavily on imported products of the other country than on similar articles of domestic or foreign production. (Art. VII.)

(c) All duties for tonnage, transit, canal, port, pilotage, light-house, quarantine, and similar duties or charges under whatever name, imposed in the territorial waters of either nation on ships of the other, from whatever place arriving and whatever their destination. (Art. XIII.)

III. National treatment is reciprocally pledged in general terms regarding all rights, favors, liberties, immunities, and exemptions in matters of commerce and navigation, in all places, ports, and waters of either nation open to foreign commerce, subject to the laws of the country. (Art. III.)

National treatment is further reciprocally pledged in regard to:

(a) Travel and residence in either country and trading in all articles of lawful commerce, singly or jointly with nationals or other foreigners. (Art. I, 1-2.)

(b) Disposal of property by sale, gift, marriage, testament, or any other manner, including export of proceeds if sold, and all duties relating thereto. (Art. I, 5.)

(c) Protection of persons and property; access to courts of justice in person or otherwise, and generally all rights and privileges concerning administration of justice. (Art. I, 6.)

(d) Exemption of dwellings and other premises from domiciliary visits or search, and of books, papers, or accounts from inspection or examination; except under conditions and with legal forms applying to citizens of the country. (Art. II.)

(e) Imports and exports. All articles which may be legally imported into, or exported from, either country in its own vessels may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination, without paying other or higher duties or charges of whatever kind, and subject to the same bounties or drawbacks, as when carried in national vessels. (Art. X.)

(f) Any privileges or facilities in matters concerning the stationing, loading, or unloading of vessels in territorial waters of either country. (Art. XI.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all compulsory military service by land or sea, and from all contributions, except those incumbent on possession of landed property. (Art. I, 7.)

(b) Stock companies and other commercial, industrial, or financial associations duly constituted in either country are authorized to exercise their rights in the other, with special reference to actions in courts of justice. (Art. IV.)

(c) Neither country to prohibit or restrict imports, exports, or transit of merchandise, except in the following cases applying to all countries under the same conditions:

(1) Provisions and munitions of war in extraordinary circumstances.

(2) Considerations of public security.

(3) Sanitary measures for protection of health, animals, or useful plants.

(4) Application to imported merchandise of prohibitions or restrictions imposed by internal laws on production, sale, or distribution of similar articles of national production.

(5) Articles of State monopoly. (Art. VI.)

(d) Products of either country imported into the territories of the other and destined for storage or transit are exempt from all internal dues. (Art. VII.)

(e) Certificates of origin for merchandise of either country imported into the other may be required only in exceptional circum-

stances named. In case either country should levy a tax on delivery of such certificates, the other country may impose equivalent taxes on certificates of origin from the former. (Art. VIII.)

(f) Duty-free admission by either country of commercial travelers' samples from the other, subject to customs regulations relating thereto. (Art. IX.)

(g) Nationality of merchant vessels under flag of either country to be recognized by the other if carrying papers required by law. (Art. XII.)

(h) Right of vessels of either nation to load or discharge foreign cargoes at different ports of the other on the same voyage, but coasting trade is expressly excepted. (Art. XV.)

(i) Both countries declare their adherence to the industrial property convention of 20 Mar., 1883.¹¹⁹ In case either country should withdraw from that convention, reciprocal national treatment is stipulated in all matters concerning protection of patents, trademarks, designs, models, commercial names, and declarations of origin, and in all matters concerning suppression of unfair competition, subject to fulfilling formalities and conditions imposed by law. (Art. XVI.)

(j) Specified import duties to be levied by either country on products of the other listed in Tables A and B annexed to the treaty may be increased or reduced on five months' notice. (Protocol, Arts. I, II.)

V. Exceptions.—Stipulations of this convention do not apply to:

(a) The coasting trade of both countries, which is reserved for regulation by the laws of each country. (Art. XV.)

(b) Special advantages which either country may accord to bordering States to facilitate frontier traffic. (Art. XVIII, 1.)

(c) Special favors resulting from a customs union. (Art. XVIII, 2.)

(d) National fisheries, and fisheries assimilated thereto. (Art. XVIII, 3.)

(e) Encouragements which either country may accord to its merchant marine. (Art. XVIII, 4.)

VI. Application to colonies.—This convention applies in terms to Algeria and to all colonies and possessions of Japan, and has been made applicable to colonial possessions of France in equatorial Africa, Guiana, India, Somaliland, and West Africa, and to the islands Guadeloupe, Madagascar, Martinique, New Caledonia, Reunion, St. Pierre, and Miquelon. (Art. XIX and note.)

¹¹⁹ See No. 495.

Treaty with Liberia.

No. 292.

Treaty of commerce and navigation between France and Liberia.

SIGNED 17 Apr., 1852, at Monrovia. Ratifications exchanged there 14 Oct., 1856. Duration indefinite.

TEXT: French, France Tr. III: 16-19; Clercq 6: 175-8; B. F. S. P. 47: 1104-7.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any advantage or privilege which either country may accord in matters of commerce or navigation, or for any other purpose. (Art. IX and addl. art., 20 Apr., 1852, attached.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Freedom of commerce and navigation for citizens and vessels of either country in all ports, cities, or territories of the other. (Art. II.)

(b) Protection of persons and property and all privileges or prerogatives accorded to foreigners in either country; including right of residence, hiring of houses, opening of shops, transport of merchandise, and management of affairs in person or otherwise, unhampered by any monopoly or exclusive privilege of sale or purchase. (Art. III.)

(c) All duties payable in ports or waters of either country on ships of the other and their cargoes. (Art. IV.)

(d) Duties imposed by Liberia on merchandise arriving from France or from French possessions in vessels of any nationality, or brought in French vessels from any country. (Art. IV.)

(e) Conditions regarding exportation from Liberia of any Liberian products by citizens or vessels of France. (Art. IV.)

(f) Protection of consular officers, and all privileges accorded to them in either country. (Art. VII.)

II. Other provisions.

(a) In case the Liberian Government should undertake to trade in certain articles for revenue purposes, private merchants may continue to import such articles without paying duties greater than the difference between cost price and the price fixed by the Liberian Government for sale of these articles; and in case the Government fixes the price of any Liberian products, any merchants in Liberia may, on paying the taxes, present such products to the treasury at the Government price. (Art. V.)

(b) Protection and assistance to be accorded by either country to vessels of the other seeking refuge from damage or shipwreck and to their crews and cargoes. (Art. VI.)

(c) France engages not to interfere in affairs between the aboriginal inhabitants and the Government of Liberia, except on request from the latter; and to aid Liberian authorities in bringing to justice aboriginal inhabitants who may have inflicted injury or loss on France. (Art. X.)

(d) In case of war between the two countries, citizens of one residing in the other may remain to arrange their affairs as long as they behave peaceably and observe the laws. (Art. XI.)

Treaty with Mexico.

No. 293.

Treaty of friendship, commerce, and navigation between France and Mexico.

SIGNED 27 Nov., 1886, at Mexico. Effective from 17 Apr., 1888, until 1 Feb., 1892, and thereafter terminable on 12 months' notice by either party. (Art. XXIX.)

TEXT: French, France Tr. III:72-80; B. F. S. P. 77:1090-8; Spanish, Mexico Tr. Vig. 1:326-40.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all privileges, favors, and immunities which either country may accord in matters of navigation or commerce. (Art. XIV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens and vessels of either country to enter any cities, ports, rivers, and other places open to foreigners in the territories and possessions of the other. (Art. II.)

(b) All matters relating to literary and artistic property in either country. (Art. II.)

(c) All matters concerning possession of real property in either country. (Art. V.)

(d) All privileges, favors, and immunities accorded by either country to diplomatic agents. (Art. XI.)

(e) All duties imposed by either country on importation of products of the other and on exportation of merchandise to the other. (Art. XII.)

(f) Any prohibitions or restrictions imposed by either country against the other regarding importation or exportation, except sanitary measures to prevent spread of epizootic diseases or destruction of crops, and measures connected with war. (Art. XII.)

(g) Any transit duties which either country may impose on merchandise passing to or from the other. (Art. XIII.)

(h) Jurisdictional limit of territorial waters to be applied by either country to ships of the other, for purposes named under IV *l* below. (Art. XV.)

(i) All privileges, favors, or advantages concerning local treatment of vessels of either country in ports or waters of the other, such as stationing, loading, and unloading of ships, and formalities or arrangements affecting merchant vessels and their crews or cargoes; also all taxes or charges of whatever kind, with special reference to dues for tonnage, port, lighthouse, pilotage, quarantine, and any other charges affecting the hull of the ship. (Art. XVI.)

(j) Any duties payable by vessels of either country loading or unloading foreign cargo at different ports of the other on the same voyage, but coasting trade is expressly excepted. (Art. XIX.)

(k) Any duties or charges payable in either country on salvaged merchandise cleared for domestic consumption. (Art. XXII.)

(l) Ports of either country where warships of the other may enter and refit, and all regulations, honors, advantages, privileges, and exemptions relating thereto. (Art. XXIV.)

(m) All rights, privileges, and immunities accorded by either country to consular officers. (Art. XXVII.)

II. National or most-favored-nation treatment (at claimant's option) is reciprocally pledged regarding any charges or taxes imposed by either country on real and personal property of citizens of the other. (Art. VII.)

III. National treatment is reciprocally pledged in regard to:

(a) Right of citizens of either country to travel and reside in any part of the other; to engage in industry and commerce by wholesale or retail; to rent and possess houses, warehouses, shops, and other premises; to transport merchandise and money; and to receive consignments, domestic or foreign; and all charges, contributions, taxes, or imposts relating to any of these. (Art. II.)

(b) All rights concerning patents for inventions, labels, trademarks, and designs in either country. (Art. II.)

(c) All rights, privileges, conditions, and exemptions regarding access to courts of justice, and employment of advocates or others therein. (Art. III.)

(d) Right of citizens of either country to acquire, possess, and transmit personal property in the other, by will or otherwise in any manner; and all succession or other duties relating thereto. (Art. V.)

(e) Any military requisitions, loans, and contributions imposed on landed property in either country. (Art. VII.)

(f) Any charges or impositions levied by either country on property of any kind belonging to citizens of the other, in case of war between the two countries. (Art. X.)

IV. Other provisions.

(a) Complete protection of persons and property of citizens of either country in the other. (Art. III.)

(b) Judicial assistance is assured by either country to indigent citizens of the other, subject to the laws of the country in which the assistance is claimed. (Art. IV.)

(c) Succession to real property to be governed by laws of the country in which it is situated. Succession to personal effects left by subjects of either country dying in the other, to be judged according to laws of the country to which deceased belonged. (Art. VI.)

(d) Citizens of either country are exempt in the other from all personal military service by land or sea, and from all requisitions, contributions, or forced loans, except those levied on landed property. (Art. VII.)

(e) Ships, cargoes, merchandise, and effects belonging to citizens of either country are exempt in the other from embargo or detention for military expeditions or any public use, unless sufficient indemnification is paid in advance to the interested parties. (Art. VIII.)

(f) Freedom of conscience and religion in either country for citizens of the other, subject to constitution and laws of the land. (Art. IX.)

(g) In case of war between the two countries, citizens of either may continue their commerce or other occupation in the other without interruption so long as they observe the laws. In case their conduct necessitates expulsion from the country, sufficient time shall be allowed them to wind up their affairs; their property of all kinds to be exempt from seizure, sequestration, or confiscation. (Art. X.)

(h) Diplomatic representatives not to interfere officially in matters within jurisdiction of the courts, except for denial of justice, manifest violation of treaties, or of rules of international law. (Art. XI.)

(i) Neither country to be responsible for damages or exactions suffered by citizens of the other during insurrections or civil war from insurgents or wild hordes not under control of the Government, except in case of fault or neglect on the part of authorities concerned. (Art. XII.)

(j) Exemption from transit duties in either country of any merchandise passing to or from the other; except articles of which transit may be prohibited by law, and except that special authorization may be required for transit of arms and munitions of war. (Art. XIII.)

(k) Policing of ports, loading, and unloading of ships and protection of merchandise and effects to be subject to laws of each country. (Art. XV.)

(l) Limit of territorial sovereignty on coasts of either country for enforcement of customs regulations and prevention of smuggling

(but for no other purpose) to be 20 kilometers from the line of low water. (Art. XV.)

(m) Exemption of vessels from tonnage, port, and clearance dues under conditions stated. (Art. XVII.)

(n) Navigation, tonnage, and other duties imposed on the hull of the ship, to be levied in ports of either country on vessels of the other in accordance with ship's papers. (Art. XVIII.)

(o) Assistance to be given in ports or waters of either country to ships of the other seeking refuge from damage or shipwreck. (Art. XXI.)

(p) Mail boats of either country not to be seized in waters of the other, or turned from their course. (Art. XXV.)

(q) Nationality of merchant vessels under flag of either country to be recognized by the other if carrying ship's papers required by law. (Art. XXIII.)

V. Exceptions.—Provisions of this treaty do not apply to the coasting trade, nor to matters concerning the fishing industries of either country, which are reserved for regulation by the laws of each country. (Arts. XIX, XX.)

VI. Application to colonies.

(a) The provisions of this treaty apply to Algeria. (Art. XXVIII.)

(b) Most-favored-nation rights and privileges stipulated in this treaty, and the provisions concerning freedom of commerce and navigation, apply to Mexicans in French colonies and possessions, and apply in Mexico to inhabitants of French colonies and possessions as well as to citizens of France. (Art. XXVI.)

Treaty with Monaco.

No. 294.

Convention between France and Monaco regulating customs administration and neighborly relations.

SIGNED 10 April, 1912, at Paris. Ratifications exchanged there 6 Apr., 1914. Effective until 6 Apr., 1924, and thereafter until terminated by 12 months' notice from either party. (Art. XXVII.)

TEXT: French, France Tr. III: 100-8; B. F. S. P. 106: 1009-23.

(a) Import and export tariffs of France, navigation dues as defined by French law, and other French taxes and duties named are to be applied within the Principality of Monaco in accordance with the laws and regulations of France (Arts. II, V, IX), and collected by French officials for the treasury of France (Arts. IX and XI).

(b) By way of compensation for these duties and taxes, France pays to the Principality of Monaco an annual indemnity of 400,000 francs, to be increased by 20,000 francs yearly for every thousand

additional inhabitants, as compared with population ascertained by the census of 1908; a new census to be taken every five years on January 1. (Art. X.)

(c) Ships of either party to pay in ports of the other the same duties as in home ports. (Art. IV.)

(d) The regulations and tariffs of France respecting sanitary police are to apply in Monaco. (Art. III.)

(e) All kinds of tobacco required for consumption in Monaco, also powder and playing cards, to be supplied from factories and warehouses of Nice. (Arts. VI, VII.)

(f) Special laws and regulations concerning importation, exportation, and circulation of arms in France to apply also in Monaco. (Art. VIII.)

(g) Post and telegraph offices in Monaco and necessary submarine cables are to be established by France, which also names the personnel charged with execution of these services. (Art. XIV.)

(h) Coins of Monaco to be struck in France exclusively, and to have the same denominations and value as French coins. (Art. XV.)

(i) There shall not be accorded to industries established in Monaco any advantage whatever, by bounty or otherwise, over similar French industries. (Art. XVIII.)

(j) Extensive and detailed provisions relating to jurisdiction of French tribunals over French customs agents and employees in Monaco (Arts. XII–XIII); confirmation of extradition convention of 8 July, 1876, and right of police, soldiers, etc., of either party to operate on territory of the other (Art. XVI); maintenance of roads, railways, telegraph, and telephone lines in Monaco (Art. XVII); treatment in French hospitals of indigent insane persons from Monaco (Art. XIX); military deserters, criminals, etc. (Arts. XX–XXII); education of children of Monaco in French schools (Art. XXIV); and right of Monaco to make treaties with other powers (Art. XXV).

(k) Declarations concerning postal, telegraph, and telephone service between the two countries. (Annexed.)

Treaty with Montenegro.

No. 295.

Convention of commerce and navigation between France and Montenegro.

SIGNED 30 June, 1892, at Cetinje. Terminable on six months' notice by either party, in accordance with notes of 21 Dec., 1908. (France Tr. III: 115.)

TEXT: French, France Tr. III: 115; Clercq 19: 500–2; B. F. S. P. 84: 1006–7.

Most-favored-nation treatment is reciprocally pledged in regard to:

(a) Establishment of nationals of either country in the other, with special reference to exercise of commerce and industries. (Art. I.)

(b) All matters of commerce and navigation, with special reference to importation, exportation, and transit. (Art. I.)

(c) All that concerns customs duties and commercial operations in either country. (Art. I.)

(d) Payment of taxes connected with any of the forementioned matters. (Art. I.)

Treaty with Muscat.

No. 296.

Treaty of friendship and commerce between France and Muscat.

SIGNED 17 Nov., 1844, at Zanzibar. Ratifications exchanged there 4 Feb., 1846. No time limit stated.

TEXT: French, France Tr. II: 592-7; Clercq 5: 259-64; B. F. S. P. 35: 1011-15.

I. Most-favored-nation treatment is reciprocally pledged respecting all privileges and advantages which either party may accord to the subjects of any other nation. (Art. 2.)

Most-favored-nation treatment is further pledged in regard to:

(a) All rights and prerogatives accorded to consular agents by either country. (Art. 5.)

(b) Right of French vessels to all privileges and immunities granted in the ports of the Sultan of Muscat, with special reference to import duties payable on merchandise imported in French vessels. (Art. 10.)

II. Other provisions.

(a) Duties levied in Muscat on merchandise imported in French vessels not to exceed 5 per cent ad valorem, after payment of which the merchandise may be sold by wholesale or retail without paying further duties. (Art. 10.)

(b) After payment of the 5 per cent import duty French vessels and their cargoes entering or leaving ports of Muscat are exempt from all taxes of importation, exportation, tonnage, license, pilotage, anchorage, and all other taxes whatever. (Art. 10.)

(c) Neither importation nor exportation of any article of commerce to be prohibited in the States of the Sultan of Muscat; commerce being perfectly free and subject to no other duty whatever save the import duty of 5 per cent. French subjects may, therefore, buy or sell any articles of commerce freely throughout said States, without hindrance from any monopoly or exclusive privilege of sale or purchase. France will not trade in ivory or gum copal on the east coast of Africa within territory defined, so long as no other Christian nation has the right to engage in this trade. (Art. 11.)

(d) In case of disputes concerning valuations of merchandise subject to the 5 per cent duty on importation into Muscat, the customs may demand payment in kind (i. e. one-twentieth part of the

merchandise in question) whenever this mode of payment is practicable in view of the nature of the article. In other cases such disputes shall be settled by arbitration in the manner stated. (Arts. 12, 13.)

(e) Provisions concerning assistance to be given by local authorities to French vessels seeking refuge from damage or shipwreck (Art. 15), or captured by pirates (Art. 16).

Treaties with the Netherlands.

No. 297.

Exchange of notes between France and the Netherlands establishing a commercial modus vivendi.

SIGNED 27/28 Jan., 1892, at The Hague. Terminable by the Netherlands at any time, and by France on 12 months' notice.

TEXT: French, France Tr. III: 175-6; Clercq 19: 403; Lagemans 11: 175-6; B. F. S. P. 100: 918-19.

I. Most-favored-nation treatment is stipulated as follows:

(a) France concedes her minimum tariff to the products and merchandise of Netherlands origin, so long as the Netherlands continues to apply most-favored-nation treatment to the products and merchandise originating in France.

(b) In the Netherlands the same customs tariffs apply to imports from all foreign countries without distinction, regardless of origin, but the Netherlands Government reserves complete liberty of action in all respects.

II. Application to colonies.—The forementioned stipulations apply to the respective colonies and possessions of both countries, subject, however, so far as France is concerned, to conditions fixed by Article III of the customs tariff law of 11 Jan., 1892, and subject, as regards Dutch colonies, to the convention of 13 Aug., 1902.¹²⁰

No. 298.

Commercial convention between France and the Netherlands relative to the Dutch colonies.

SIGNED 13 Aug., 1902, at the Hague. Ratifications exchanged there 8 Mar., 1904. Terminable on one year's notice by either party. (Art. IV.)

TEXT: French, France Tr. III: 184-5; Clercq 22: 201-3; B. F. S. P. 95: 796-7.

I. Most-favored-nation treatment is reciprocally pledged as follows:

¹²⁰ See No. 298.

(a) Specified products of Dutch colonies, including coffee, tea, cacao, chocolate, pepper, vanilla, and various spices, are to be admitted into France, Algeria, the French colonies and possessions, and the protectorates of Indo-China and Tunis at the lowest tariff rates applicable to similar products of any other foreign country. (Art. I.)

(b) Reciprocally, the products of France and of French colonies, possessions, and protectorates above named are to be admitted by the Dutch colonies at the lowest tariff rates applicable to similar products of any other foreign country, except that these stipulations do not apply to duty-free admission into Dutch colonies of products of the native States of the Oriental Archipelago. (Art. II.)

II. Other provisions.—Certificates of origin to be visés by the respective consuls free of consular fees. (Art. III.)

Treaty with Nicaragua.

No. 299.

Commercial convention between France and Nicaragua.

SIGNED 27 Jan., 1902, at Managua. Ratifications exchanged 3 Sept., 1903, at Paris. Denounced by France 6 Sept., 1918, but revived as from 15 Feb., 1921, subject to termination on three months' notice by either party.

TEXT: French, France Tr. III: 126-7; B. F. S. P. 95: 818-20; Spanish, Nicaragua Conv. Int. 1913: 21-6.

I. Most-favored-nation treatment is reciprocally pledged as follows:

(a) Nicaraguan coffee and other products listed in Table A annexed to this treaty are to be admitted into France, Algeria, the French colonies and possessions, and the protectorates of Indo-China and Tunis at the lowest tariff rates applicable to similar products of any other foreign origin. (Art. I.)

(b) Reciprocally, the products of France, Algeria, French colonies and possessions, and protectorates above named are to be admitted by Nicaragua at the lowest tariff rates applicable to similar products of any other foreign origin. (Art. II.)

II. Other provisions.

(a) Numerous French products listed in Table B annexed to this convention are to be admitted into Nicaragua at a reduction of 25 per cent from the import duties provided in the Nicaraguan tariff. (Art. II.)

(b) Certificates of origin to be visés by the respective consuls free of consular fees. (Art. III.)

Treaty with Norway

No. 300.

*Treaty of commerce between France and Norway.*¹²¹

SIGNED 30 Dec., 1881, at Paris. Duration extended indefinitely by the convention of 13 Jan., 1892¹²² (except Art. II-IV, VIII, IX, XVIII-XX, pars. 3 and 4 of Art. XII, and the final declaration, which terminated 1 Feb., 1892), subject to termination on 12 months' notice by either party. (Conv. 1892¹²² Art. III.)

TEXT: French, France Tr. III: 136-40; B. F. S. P. 72: 325-46; Norwegian, Norway Tr. 1914: 59-62.

I. Most-favored-nation treatment is reciprocally pledged in general terms with regard to all matters concerning importation, exportation, and transit, with special reference to any favors, privileges, and tariff reductions which either country may accord to any third power regarding importation or exportation. (Art. XI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Any duties or prohibitions which either country may establish against importation or exportation. (Art. XI.)

(b) Any surtaxes imposed by France on merchandise other than Norwegian products imported from Norway by land or sea, except merchandise imported in French vessels direct from the country of origin. (Art. XII.)

II. National treatment is reciprocally pledged in general terms respecting any privileges, immunities, or favors accorded by either country in matters of commerce or industry; with special reference to any duties, taxes, imposts, or fees, under whatever name, payable by citizens of either country on their commerce or industry in the other. (Art. I.)

National treatment is further reciprocally pledged in regard to—

(a) Excise or consumption duties levied in either country on imported products of the other. These duties must not be higher than on similar merchandise of national production. (Art. VII.)

(b) Protection to be accorded by either country to subjects of the other in all matters concerning trade-marks, industrial designs, or models (Art. XIII); and literary, artistic, or other industrial property. (Addl. art.)

(c) License fees payable in Norway by commercial travelers from France; commercial travelers from Norway being subject to an equivalent impost in France. (Art. XVII.)

III. Other provisions.

(a) Drawbacks allowed by either country on exportation of its products must be equivalents of internal excise and consumption duties levied on such products or materials used in their manufacture. (Art. V.)

¹²¹ See also treaty of navigation of same date, concluded with Sweden and Norway, No. 310.

¹²² French, France Tr. III: 146-7; B. F. S. P. 84: 110-11.

(b) In addition to customs duties, either country may impose on foreign merchandise a supplementary tax equal to the internal duties of excise or consumption imposed on similar domestic products; or on materials employed in their manufacture. In case these internal duties are removed or reduced, equivalent reductions must be made in the supplementary taxes. (Arts. V-VI.)

(c) Detailed provisions concerning treatment in either country of articles of jewelry imported from the other (Art. X); a duty-free admission, by either country, of commercial travelers' samples from the other, subject to customs formalities relating thereto. (Art. XVI.)

IV. Application to colonies.—Provisions of this treaty are applicable to Algeria without exception. (Art. XV.)

Treaty with Panama.

See No. 246.

Treaty with Paraguay.

No. 301.

Convention of commerce and navigation between France and Paraguay.

SIGNED 21 July, 1892, at Buenos Aires. Terminable on 12 months' notice by either party. (Art. II.)

TEXT: French, France Tr. III: 162-3; Clercq 19: 506-8; B. F. S. P. 84: 680-1.

Most-favored-nation treatment is reciprocally pledged in regard to:

(a) All matters relating to navigation, importation, exportation, and transit.

(b) All that concerns tariffs, accessory customs duties, complementary taxes, and commercial operations.

(c) All civil rights, benefits, privileges, or exemptions concerning exercise of commerce and industry.

(d) Payment of imposts, taxes, or license fees connected with any of the forementioned matters. (Art. I.)

Treaty with Persia.

No. 302.

Treaty of friendship and commerce between France and Persia.

SIGNED 12 July, 1855, at Teheran. Duration perpetual. (Art. VIII.)

TEXT: French, France Tr. III: 216-18; B. F. S. P. 45: 869-71.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) All prerogatives and immunities accorded to diplomatic agents by either country. (Art. II.)

(b) Treatment of travelers, merchants, manufacturers, and other subjects of either country in territories of the other, in all respects. (Art. III.)

- (c) Customs duties payable in either country by subjects of the other on importation or exportation of merchandise. (Art. IV.)
- (d) Treatment of subjects of either country in the other with regard to administration of justice. (Art. V.)
- (e) Respect, privileges, and immunities to be accorded to consuls of either country at their place of residence in the other. (Art. VII.)

II. Other provisions.

- (a) Subjects of either country may bring into the other or export therefrom all kinds of produce and merchandise, by land or sea, and may sell, exchange, buy, and transport the same throughout the territories of either nation. (Art. III.)
- (b) Consular jurisdiction of disputes arising in Persia between French subjects, or between French subjects and other foreigners. (Art. V.)
- (c) Provisions concerning disposal of property left by subjects of either country dying in the other. (Art. VI.)
- (d) Right of either country to appoint three consuls in the other at places named. (Art. VII.)

Treaty with Portugal.

No. 303.

Exchange of notes between France and Portugal recording a provisional commercial agreement.

SIGNED 17 Feb., 1911, at Lisbon. Effective until conclusion of a commercial convention. Terminable on three months' notice by either party.

TEXT: French, France Tr. III: 251-4; B. F. S. P. 105: 614-17.

I. Most-favored-nation treatment is reciprocally pledged regarding import and consumption duties which either country may impose on products of the other, except:

- (a) Favors which either country may accord exclusively to bordering States to facilitate frontier traffic.
- (b) Special favors which Portugal may concede to Spain or Brazil.

II. Other provisions.

- (a) French products listed in the schedules attached shall not pay higher duties when imported into Portugal than those named in the list.
- (b) Products of the islands San Thomé, Príncipe, and Cape Verde, imported into France after transshipment at Funchal, shall not lose the benefits of direct importation.

III. Application to colonies.—This agreement applies to Algeria, on the one hand, and on the other to Madeira, Porto Santo, and the Azores.

Treaty with Rumania.

No. 304.

Convention of commerce and navigation between France and Rumania.

SIGNED 6 March, 1907, at Paris. Ratifications exchanged there 23 July, 1907. Effective from 2 Aug., 1907. Terminable on one year's notice by either party. (Art. XVI.)

TEXT: French, France Tr. III:258-72; B. F. S. P. 101:318-27.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions and restrictions noted below) respecting all favors, privileges, and reductions which either country may accord with reference to duties of customs, octroi, excise, and any other taxes or local dues regarding importation, exportation, reexportation, transit, or bonding of merchandise of every description; also with reference to matters concerning consumption or transshipment of merchandise, customs formalities, and whatever relates to exercise of commerce and industry in either country. (Arts. VI, VII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Conditions regarding acquisition, possession, and disposal of, or succession to, property of all kinds, personal or real; subject to laws applying to all foreigners in either country. (Art. II.)

(b) Specified exceptional prohibitions imposed by either country against the other regarding importation, exportation, or transit. (Art. V.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) All duties, taxes, imposts, or fees under whatever name, payable by citizens of either country, on their commerce or industry in the other, subject to specified laws applying to all foreigners. (Arts. I, II.)

(b) Exceptional military contributions or requisitions incumbent on possession of landed property in either country. (Art. III.)

(c) Internal duties imposed on production or consumption, under whatever name, whether levied for the State or for communes or corporations in either country. These must not bear more heavily on imported products of the other country than on similar articles of domestic or other foreign production. (Art. VIII.)

(d) All privileges or favors relating to placing, loading, or unloading of vessels in the ports, roadsteads, harbors, or basins of either country, including any formalities and arrangements affecting merchant vessels and their crews or cargoes. (Art. XI.)

(e) All privileges or immunities which either country may accord to vessels and their cargoes, from whatever place arriving and whatever the place of origin or destination of the cargoes, except:

(1) Advantages accorded to products of national fisheries in either country. (Art. IX, 1.)

(2) Favors accorded by either country to its national merchant marine. (Art. IX, 2.)

(3) The coasting trade of both countries (including trade between France and Algeria), which is reserved for regulation by their respective laws. (Art. IX, 3.)

III. National treatment is reciprocally pledged in regard to:

(a) All rights and immunities regarding access to courts of justice, and all taxes, imposts, or charges, under whatever name, relating to acquisition, possession, and disposal of, or succession to, property of all kinds; subject to specified laws and regulations applying to all foreigners in either country. (Art. II.)

(b) All taxes, imposts, obligations, or restrictions imposed by either country on persons or on property of any kind, real or personal. (Art. III.)

(c) All duties, taxes, or charges affecting the hull of the ship or its flag or cargo imposed in ports of either country on ships of the other under whatever name, and no matter by whom or how levied. (Art. X.)

IV. Other provisions.

(a) Neither country to obstruct commerce with the other by prohibitions against importation, exportation, or transit (Art. V); except for the following reasons applied to all countries under the same conditions:

(1) Provisions of war in exceptional circumstances. (Art. V, 1.)

(2) Considerations of public safety. (Art. V, 2.)

(3) Sanitary measures for the protection of health, animals, or useful plants. (Art. V, 3.)

(4) Execution of internal laws so far as they prohibit or restrict production, sale, distribution, or consumption of certain articles. (Art. V, 4.)

(5) Objects of State monopoly in either country. (Art. V, 5.)

(b) Products of either country listed in Tables A and B annexed to this convention to pay when imported into the other duties not higher than specified in these tables. (Art. VII.)

(c) Products of either country are exempt in the other from all internal duties when imported for warehousing or transit. (Art. VIII.)

(d) Ships of either country are exempt in the other from all tonnage and clearance charges under conditions stated. (Art. XIII.)

(e) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from forced loans, and other extraordinary contributions and from obligation to accept judicial, administrative, or municipal office; except charges incumbent upon possession of landed property in either country. (Art. III.)

(f) Extensive provisions relating to treatment by either country of merchants, manufacturers, and commercial travelers from the other. (Art. IV.)

(g) Vessels of either country entering ports of the other to complete their loading or to land part of their cargo need not pay duty on portion of cargo not discharged at that port. (Art. XII.)

(h) Nationality of vessels to be determined by laws and regulations of each country and papers issued by its competent authorities. (Art. XIV.)

V. Exceptions.—Most-favored-nation provisions of Article VI (noted under I above) do not apply to:

(a) Favors which either country may accord to bordering States to facilitate frontier traffic within 15 kilometers of the boundary line.

(b) Special favors resulting from a customs union. (Art. VI.)

VI. Application to colonies.—This convention applies to Algeria, and may be extended to French colonies and to Indo-China on two months' notice to that effect given by France to Rumania. (Art. XV.)

Treaty with Salvador.

No. 305.

Commercial convention between France and Salvador.

SIGNED 9 Jan., 1901, at Paris. Ratifications exchanged there 15 Jan., 1902. Terminable on 12 months' notice by either party. (Art. IV.)

TEXT: French, France Tr. III: 316-17; B. F. S. P. 94: 590-2; Spanish, Salvador Pact. Int. 2: 8-14.

I. Most-favored-nation treatment is reciprocally pledged as follows:

(a) Salvadorian coffee and other products listed in Table A annexed to this treaty are to be admitted into France, Algeria, the French colonies and possessions, and the Protectorates of Indo-China and Tunis at the lowest tariff rates applicable to similar products of any other foreign origin. (Art. I.)

(b) Reciprocally, the products of France, Algeria, French colonies and possessions, and protectorates above named are to be admitted by Salvador at the lowest tariff rates applicable to similar products of any other foreign origin. (Art. II.)

II. Other provisions.

(a) Salvador's official valuation tariff then in force to be reduced in favor of numerous French products listed in Table B annexed to

this treaty, so that these products shall in no case be subject to higher official valuations when imported into Salvador than those stipulated in said table. (Art. II.)

(b) Certificates of origin to be visés by the respective consuls free of consular fees. (Art. III.)

Treaty with the Serb-Croat-Slovene State.¹²³

No. 306.

Convention of commerce and navigation between France and Serbia.

Signed 5 Jan., 1907, at Belgrade. Ratifications exchanged 12 Oct., 1907, at Belgrade. Effective until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. 23.)

TEXT: French, France Tr. III: 322-40; B. F. S. P. 100: 924-33.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting all favors, privileges, and tariff reductions which either country may accord to any third power with reference to duties of customs, octroi, excise, and any accessory or local dues regarding importation, exportation, reexportation, transit, or warehousing of merchandise; also in all matters concerning consumption, transshipment of merchandise, transportation on railways, customs formalities, and generally in whatever relates to exercise of commerce and industry in either country. (Art. 4.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Specified exceptional prohibitions which either country may impose against the other regarding importation, exportation, or transit. (Art. 5.)

(b) Import duties payable in France on Serbian products imported from Serbia direct, and import duties payable in Serbia on French products not included in Table A annexed to this treaty. (Art. 6.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) All taxes, imposts, or fees of any kind payable by citizens of either country on their commerce or industry in the other. (Art. 1.)

(b) Application to citizens of either country in the other of the laws and regulations concerning exercise of industry and commerce, and right to acquire, rent, and occupy lands, houses, and shops. (Art. 3.)

(c) Internal duties of any kind imposed on production or consumption, whether levied for the State or for communes or corporations in either country. These must not bear more heavily on im-

¹²³ See p. 771, note 197.

ported products of the other country than on similar articles of domestic or other foreign production. (Art. 7.)

(*d*) Any special tax payable in either country by merchants, manufacturers, or commercial travelers from the other. (Art. 8.)

(*e*) Treatment by either country of vessels of the other and their cargoes, in all respects, from whatever place arriving and whatever the place of origin or destination of the cargoes (Art. 13); except as noted below under V, 2 and 3.

(*f*) All privileges, favors, or advantages relating to placing, loading, or unloading of vessels in the ports, roadsteads, harbors, basins, rivers, or canals of either country, including any formalities and arrangements affecting merchant vessels and their crews or cargoes. (Art. 15.)

III. National treatment is reciprocally pledged in general terms respecting all privileges, immunities, and other favors in matters of commerce and industry. (Art. 1.)

National treatment is further reciprocally pledged in regard to:

(*a*) Exceptional military charges, contributions, and requisitions which either country may impose on possession of landed property. (Art. 2.)

(*b*) Protection by either country of citizens of the other in all that concerns property in trade-marks (until conclusion of a special agreement on the subject), on condition of fulfilling formalities prescribed by the law. (Art. 10.)

(*c*) All duties, taxes, or charges of any kind affecting the hull of the ship or its flag or cargo, no matter by whom or how levied in ports of either country on ships of the other. (Art. 13.)

IV. Other provisions.

(*a*) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from all forced loans and other extraordinary contributions, and from obligation to accept judicial, administrative, or municipal office; except charges incumbent upon possession of landed property in either country. (Art. 2.)

(*b*) Citizens of either country may exercise industry of all kinds in any part of the possessions of the other and may trade there by wholesale or retail in all articles of lawful commerce, personally or by agents, singly or associated with nationals or foreigners; and may acquire, hire, and possess lands, houses, and shops; all on condition of conforming to the laws and regulations of the country like nationals and citizens of the most-favored nation. (Art. 3.)

(*c*) Both countries agree not to obstruct their commercial relations by any prohibition against importation, exportation, or transit, except for the following reasons applying to all countries under the same conditions:

- (1) Provisions of war in exceptional circumstances.
- (2) Considerations of internal security of the State.
- (3) Sanitary measures, or to protect animals and plants from diseases, insects, or noxious parasites.
- (4) Execution of internal laws prohibiting or restricting production, transportation, sale, or consumption of certain articles. (Art. 5.)
- (d) Schedule of import duties payable in Serbia on products of France enumerated in Table A annexed to this treaty. (Art. 6.)
- (e) Products of either country are exempt in the other from all internal duties when imported for warehousing or transit. (Art. 7.)
- (f) Duty-free admission by either country of commercial travelers' samples from the other, subject to customs formalities relating thereto. (Art. 8.)
- (g) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise, and must be provided with a legitimization certificate in the form prescribed. (Art. 8 and Annex B.)
- (h) Nationality of vessels to be recognized in accordance with ships' papers issued by the competent authorities under laws of each country. (Art. 14.)
- (i) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage. But coasting trade is excepted. (Arts. 16, 17.)
- (j) Exemption of vessels from all tonnage and clearance duties (except sanitary dues) in either country, under conditions stated. (Art. 18.)
- (k) Provision concerning right of French ship owners maintaining a regular shipping service between the two countries to hire offices, stores, and other premises in Serbian ports. (Art. 19.)
- (l) Detailed and extensive provisions concerning arbitration of disputes relating to interpretation or application of this treaty, and of questions concerning exercise of commerce between the two countries. Statement of procedure relating thereto. (Art. 21.)

V. Exceptions.

- (a) The stipulations of this convention do not apply to:
 - (1) Objects of State monopolies in either country. (Art. 9.)
 - (2) Coastwise navigation of either country (including intercourse between France and Algeria), which is reserved exclusively for the national flag. (Art. 17.)
 - (3) Advantages which either country may accord to products of the national fishing industry. (Art. 20.)
 - (4) Favors which either country may accord to the national merchant marine. (Ibid.)

(b) The most-favored-nation clause does not apply to:

(1) Special favors resulting from a customs union. (Art. 12.)

(2) Special favors which either country may accord to bordering States to facilitate frontier traffic. (Ibid.)

(c) Provisions of this convention regarding exercise of commerce and industry in either country do not apply to itinerant industries, such as peddling, or soliciting orders from persons not engaged in commerce or industry. (Art. 8.)

VI. Territorial application.—This convention applies to Algeria and to countries comprised within the customs territory of France, and shall also be applicable to French colonies and protectorates two months after notice to that effect given by France in the manner stated. (Arts. 12 and 22.)

Treaty with Siam.

No. 307.

Treaty of friendship, commerce and navigation between France and Siam.

SIGNED 15 Aug., 1856, at Bangkok. Effective from 24 Aug., 1857, for indefinite term, subject after 12 years to revision on 12 months' notice from either party. (Art. XXII.)

TEXT: French (authentic), France Tr. III: 341-9; B. F. S. P. 47: 993-1004.

I. Most-favored-nation treatment is reciprocally pledged in regard to:

(a) All privileges or advantages accorded to foreigners by either country. (Art. I.)

(b) All privileges and immunities accorded by either country to consular officers. (Art. II.)

II. National or most-favored-nation treatment (optional) is pledged by Siam to French vessels in Siamese ports, respecting any privileges or immunities accorded to Siamese or to foreign vessels (Art. XVII), with special reference to any reductions made by Siam in duties on imports or exports (Art. XX).

III. National treatment is pledged by Siam respecting taxation of landed property in Siam owned by French subjects under conditions stated. (Art. V.)

IV. Other provisions.

(a) Right of French subjects and missionaries to free exercise of their religion in all parts of Siam, including right to build churches. (Art. III.)

(b) French subjects wishing to reside in Siam must be registered at the French consulate in the manner described. (Art. IV.)

(c) Right of French subjects to reside in Siam within boundaries stated, and beyond these limits by special permission, and right to

travel and trade throughout the whole of Siam, buying and selling any lawful merchandise, without interference from any monopoly or exclusive privilege of sale or purchase. (Art. V.)

(d) Right of French subjects to buy, sell, rent or build houses; establish depots and stores; and to buy, sell, or lease lands and plantations, subject to restrictions named; Siam reserving the right to cancel the sale or to resume such lands if not cultivated within three years from date of possession. (Art. V.)

(e) Exemption of French vessels in Siamese ports from all taxes for tonnage, pilotage, anchorage, and any other taxes whatever, after payment of import and export duties fixed by this treaty. (Art. XVII.)

(f) Duties payable in Siam on merchandise imported in French vessels not to exceed 3 per cent ad valorem (Art. XVIII), which shall never be increased (Art. XX). After payment of these duties, French subjects may freely import into or export from Siam to or from any foreign port all kinds of merchandise; except specified articles subject to restrictions named. (Art. XX.)

(g) Siamese products exported in French vessels to pay only the duties specified in the tariff annexed to the treaty (Art. XIX), which shall never be increased (Art. XX).

(h) Detailed and extensive provisions relating to employment of Siamese subjects (Art. VI); passports (Art. VII); functions of French consuls (Art. VIII); punishment of French and Siamese offenders (Art. IX); piracy (Art. X); arrest of criminals and seamen deserters (Art. XI); bankruptcy (Art. XII); recovery of debts (Art. XIII); disposal of property left by subjects of either country dying in the other (Art. XIV); assistance to ships in distress (Art. XVI).

(i) Commercial regulations for the conduct of French trade in Siam. (Annexed.)

(j) Tariff schedules of import and export duties. (Annexed.)

Treaty with Spain.

No. 308.

Exchange of notes between France and Spain establishing a commercial modus vivendi.

SIGNED 30 Dec., 1893, at Paris. Prolonged indefinitely by notes of 29 Nov., 1906,¹²⁴ subject to termination on three months' notice by either party.^a

TEXT: French, Clercq 20: 90-3; B. F. S. P. 99: 1093-6; Martens 91: 288-91.

I. Most-favored-nation treatment is reciprocally but conditionally pledged regarding import duties to be levied in either country on products of the other.

¹²⁴ Spanish, Martens 91: 292-3; B. F. S. P. 99: 1096-7.

^a Terminated. See Appendix.

II. Other provisions relate to:

(a) Concessions to be made by France regarding importation of fruits and fresh vegetables into Algeria. (Sec. 1.)

(b) Chemical methods to be used for analyzing wines in French customs laboratories. (Sec. 2.)

(c) Suppression of smuggling. (Sec. 3.)

Treaty with Sweden.

No. 309.

Treaty of commerce between France and Sweden.

SIGNED 30 Dec., 1881, at Paris. Duration extended indefinitely by the convention of 13 Jan., 1892¹²⁵ (except Articles II-IV, VIII, IX, XVIII-XX, paragraphs 3 and 4 of Article XII, and the final declaration, which terminated 1 Feb., 1892), subject to termination on 12 months' notice by either party. (Conv. 1892,¹²⁵ Art. III.)

TEXT: French, France Tr. III: 136-40; B. F. S. P. 72: 325-46; Sweden Tr. 1910: 732-5.

I. Most-favored-nation treatment is reciprocally pledged in general terms with regard to all matters concerning importation, exportation, and transit, with special reference to any favors, privileges, and tariff reductions which either country may accord to any third power regarding importation or exportation. (Art. XI.)

Most-favored-nation treatment is further pledged in regard to:

(a) Any duties or prohibitions which either country may establish against importation or exportation. (Art. XI.)

(b) Any surtaxes imposed by France on merchandise other than Swedish products imported from Sweden by land or sea; except merchandise imported in French vessels direct from the country of origin. (Art. XII.)

(c) Treatment of French commercial travelers in Sweden, with special reference to duties, facilities, prerogatives, and exemptions or reductions of taxes. (Com. agt. 2 Dec., 1908,¹²⁶ Art. 2.)

II. National treatment is reciprocally pledged in general terms respecting any privileges, immunities, or favors accorded by either country in matters of commerce or industry; with special reference to any duties, taxes, imposts, or fees, under whatever name, payable by citizens of either country on their commerce or industry in the other. (Art. I.)

National treatment is further pledged in regard to:

(a) Excise or consumption duties levied in either country on imported products of the other. These duties must not be higher than on similar merchandise of national production. (Art. VII.)

(b) Protection to be accorded by either country to subjects of the other in all matters concerning trade-marks, industrial designs, or

¹²⁵ France Tr. III: 146-7; B. F. S. P. 84: 110-11.

¹²⁶ French, France Tr. III: 375-7; B. F. S. P. 101: 1017-19.

models (Art. XIII) ; and literary, artistic, or other industrial property (Addl. art.).

(c) Travelers' license fees and any restrictions applicable in Sweden to commercial travelers of France. (Com. agrt. 2 Dec., 1908,¹²⁶ Art. 2.)

III. Other provisions.

(a) Drawbacks allowed by either country on exportation of its products must be equivalents of internal excise and consumption duties levied on such products or materials used in their manufacture. (Art. V.)

(b) In addition to customs duties, either country may impose on foreign merchandise a supplementary tax equal to the internal duties of excise or consumption imposed on similar domestic products or on materials employed in their manufacture. In case these internal duties are removed or reduced, equivalent reductions must be made in the supplementary taxes. (Arts. V, VI.)

(c) Detailed provisions concerning treatment in either country of articles of jewelry imported from the other (Art. X) ; a duty-free admission by either country of commercial travelers' samples from the other, subject to customs formalities relating thereto. (Art. XV.)

(d) Specified French wines to be admitted into Sweden under conditions stated. (Com. agrt. 2 Dec., 1908,¹²⁶ Art. I.)

Treaty with Sweden and Norway.

No. 310.

Treaty of navigation between France and Sweden and Norway.

SIGNED 30 Dec., 1881, at Paris. Duration extended indefinitely by the convention of 13 Jan., 1892,¹²⁷ (except Articles XIII-XIV, which terminated 1 Feb. 1892), subject to termination on 12 months' notice by either party. (Conv. 1892,¹²⁷ Art. III.)

TEXT: French, France Tr. III: 140-4; B. F. S. P. 72: 346-51.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all privileges or immunities which either country may accord in matters of commerce and navigation. (Art. XII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment of vessels of either country engaged in the coasting trade of the other. (Art. II.)

(b) All privileges, powers, and exemptions accorded by either country to consular officers. (Art. IX.)

¹²⁶ French, France Tr. III: 375-7; B. F. S. P. 101: 1017-19.

¹²⁷ French, France Tr. III: 146-7; B. F. S. P. 84: 110-11.

(c) Treatment of Swedish and Norwegian vessels in ports of French colonies, in all respects, from whatever place arriving. (Art. VII.)

II. National treatment is reciprocally pledged in general terms respecting all privileges, immunities, and other favors in matters of commerce, industry, or navigation; with special reference to payment of duties, taxes, and imposts, under whatever name. (Art. I.)

National treatment is further reciprocally pledged in regard to:

(a) Treatment of vessels of either country and their cargoes in ports of the other (including Algeria), in all respects, from whatever place arriving and whatever the place of origin or destination of the cargoes; except the coasting trade, which remains subject to the laws of each country. (Art. II.)

(b) Treatment of vessels of either country in ports and waters of the other, with special reference to any privileges or favors which either country may accord with regard to the placing, loading, or unloading of vessels in its ports, harbors, roadsteads, or basins, and all formalities and arrangements affecting merchant vessels and their crews or cargoes, including special taxes payable for local services (Art. IV.); and taxes of supervision payable on undischarged cargo under conditions stated. (Art. VI.)

III. Other provisions.

(a) Vessels of either country are exempt in ports of the other from tonnage and clearance dues under conditions stated. (Art. III.)

(b) Nationality of vessels to be recognized in accordance with documents issued by the competent authorities under the laws of each country. (Art. V.)

(c) Detailed provisions concerning arrest and recovery of seamen deserters (Art. X) and assistance to be given by either country to shipwrecked vessels of the other, salvaged merchandise to be exempt from customs duties unless landed for consumption in the country. (Art. XI.)

IV. Exceptions.

(a) The provisions of this treaty do not apply to advantages which either country may accord to its national fisheries. (Art. VIII.)

(b) The coasting trade of both countries remains subject to their respective laws. (Art. II.)

V. Application to colonies.—Swedish and Norwegian vessels and their cargoes receive national treatment in France and Algeria (Art. II) and most-favored-nation treatment in the French colonies. (Art. VII.)

Treaty with Switzerland.

No. 311.

Convention of commerce between France and Switzerland.

SIGNED 20 Oct., 1906, at Berne. Effective from 23 Nov., 1906. Terminable on one year's notice by either party. (Art. XXVIII.)

TEXT: French, France Tr. III: 505-31; B. F. S. P. 100: 935-41; Martens 86: 509-23.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any favor, privilege, or reduction of import or export duties which either country may accord to any third power. (Arts. I and IV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Import duties imposed by either country on products of the other not listed in Tables A and B annexed to this convention. (Arts. I and II.)

(b) All matters concerning transit through either country. (Art. XVII.)

(c) Temporary prohibitions or restrictions imposed by either country against the other respecting importation, exportation, or transit, except sanitary measures to prevent propagation of epizootic diseases or destruction of crops, and measures connected with war. (Art. XXII.)

(d) Treatment of Swiss commerce and industry in Algeria, the French colonies and possessions, and the protectorate of Indo-China, with special reference to import duties payable on products of Switzerland, or payable in Switzerland on products of said colonies and protectorates. In Algeria, however, Swiss products are entitled to the benefit of this provision only after passing through France. (Art. XXV.)

II. National treatment is reciprocally pledged in regard to:

(a) Internal duties or charges imposed for excise, octroi, or consumption, including departmental or communal duties in either country. These must not bear more heavily on imported products of the other country than on similar articles of domestic production. (Arts. VII, VIII, and X.)

(b) Protection to be given by either country to designs and industrial models belonging to citizens of the other. (Art. XXII.)

III. Other provisions.

(a) Products of either country listed in tables annexed to this convention to pay, when imported direct into the other, the duties fixed by these tables. Duties specified in Tables A and B can be raised only after twelve months' notice. (Arts. I-III.)

(b) In case either country increases or reduces the excise or consumption duties on any of its products, a corresponding increase or reduction of duty may be required on imports of similar products from the other country; and similarly, drawbacks to be allowed on exportation of products of either country must equal the internal excise or consumption duties levied on said products or on materials employed in their manufacture. (Art. VI.)

(c) Surtaxes levied in France on merchandise imported from Switzerland but not originating in that country must not be higher than on similar merchandise imported from any other European country otherwise than direct in French vessels. (Art. XI.)

(d) Certificates of origin may be required by either country in exceptional circumstances named. (Art. XII.)

(e) Disputes concerning the nature, classification, origin, or value of imported merchandise to be settled according to law of the country of destination. (Art. XIII.)

(f) Detailed provisions concerning customs declarations. (Arts. XIV-XVI.)

(g) Merchandise of all kinds passing through either country is reciprocally exempt from all transit duties in the other. (Art. XVII.)

(h) Privileges of merchants, manufacturers, and commercial travelers in either country, with special reference to duty-free admission of travelers' samples, subject to customs formalities relating thereto. (Arts. XVIII-XX and Annex D.)

(i) Arbitration of disputes concerning interpretation or application of this treaty. (Art. XXIV and Annex E.)

(j) Extensive schedules of import duties payable on products of either country imported direct into the other. (Annexes A, B, and C.)

IV. Exceptions.

(a) The provisions of this convention do not apply to articles of State monopoly in either country. (Art. XXVI.)

(b) Articles XVIII to XX (relating to commercial travelers and their samples) do not apply to peddlers or other itinerant trades, which are reserved by both countries for regulation by their respective laws. (Art. XXI.)

V. Application to colonies.

(a) The provisions of this convention apply to Algeria, but Swiss products entering Algeria are entitled to the benefits of these provisions only after passing through France. (Art. XXV.)

(b) Most-favored-nation stipulations noted under I *c* above apply to the French colonies and possessions, and to the protectorate of Indo-China. (Art. XXV.)

Treaty with Turkey.**No. 312.**

Capitulations and convention additional thereto; also treaty of peace between France and Turkey.

Signed, respectively, 28 May, 1740, 25 June, 1802, and 25 Nov., 1838, at Constantinople.

TEXT: French, France Tr. III: 577-601; Clercq 1: 21-44; 588-90; 4: 439-43; B. F. S. P. 100: 730-54; 50: 1265-9.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all advantages which either country may accord to other Powers with reference to right of French merchant vessels to free navigation of the Black Sea. (Treaty of 1802, Arts II and IX.)

Most-favored-nation treatment is further pledged to subjects and vessels of France respecting all rights, privileges, and immunities which Turkey may accord to the subjects or vessels of any foreign power. (Treaty of 1838, Art. I.)

II. National or most-favored-nation treatment is pledged by Turkey as regards taxes payable by French merchants on purchase or sale of Turkish products resold for consumption in the interior of Turkey. (Ibid., Art. III.)

III. Other provisions.

(a) The capitulations of 1740 contain extensive and detailed stipulations in 85 articles relating to ambassadors, consuls, and other representatives and officials of either country; matters of commerce and industry; privileges of French merchants in Turkey; treatment of French merchant vessels and their crews and cargoes; and privileges of French bishops and religious orders in Turkey. These capitulations apply to all parts of the Turkish Empire, and to provinces tributary thereto.

(b) The treaty of peace of 1802, besides renewing all earlier capitulations or treaties (Art. II) and stipulating reciprocal most-favored-nation treatment (as noted above under I), assures to French merchant vessels under the French flag the right to enter the Black Sea and to navigate freely therein, passing into or out of that Sea on the same terms and conditions as the merchant vessels of other nations. (Art. II.) Moreover, all rights, privileges, and prerogatives respecting commerce accorded to France in other parts of the Ottoman Empire by the old capitulations are extended by this treaty to countries on or near the Black Sea. (Art. III.)

(c) The convention of 1838, besides confirming the existing capitulations and treaties (Art. I) and stipulating most-favored-nation and national treatment of French merchants (as noted above under II), deals with customs duties long since repealed, and extends the

treaty relations between the two countries to all provinces or possessions of the Ottoman Empire in Europe, Asia, or Africa. (Art. IX.)

Treaties with the United States of America.

Treaties of France with the United States have been previously dealt with this volume under America, United States of, Nos. 20 and 21.

Treaty with Venezuela.

No. 313.

Convention of commerce and navigation between France and Venezuela.

SIGNED 19 Feb., 1902, at Paris. Ratifications exchanged 8 Aug., 1903, at Caracas. Terminable on 12 months' notice by either party. (Art. II.)

TEXT: French, France Tr. III: 618-19; Clercq. 22: 71-3; English (transl.), B. F. S. P. 95: 428.

Most-favored-nation treatment is reciprocally pledged in regard to:

(a) Establishment of nationals of either country in the other, with special reference to exercise of commerce and industries. (Art. I.)

(b) All matters of commerce and navigation, with special reference to importation, exportation, and transit. (Art. I.)

(c) All that concerns customs duties and commercial operations in either country. (Art. I.)

(d) Payment of taxes connected with any of the forementioned matters. (Art. I.)

GERMANY.¹²⁸

Treaties with America, United States of, to Ethiopia.

Treaties of Germany with the following countries have been previously dealt with in this volume under:

America, United States of, No. 22.	China, No. 231.
Argentina, No. 56.	Colombia, No. 247.
Austria, No. 65.	Denmark, No. 261.
Belgium, No. 101.	Ecuador, No. 279.
Bolivia, No. 129.	Egypt (under British Empire), No. 204.
Bulgaria, No. 211.	Ethiopia (Abyssinia), No. 284.
Chile, No. 222.	

Treaty with the Allied and Associated Powers.

No. 314.

Treaty of peace between Germany and the Allied and Associated Powers.

SIGNED ¹²⁹ 28 June, 1919, at Versailles. Effective from 10 Jan., 1920, for indefinite term, but various time limits are placed on operation of specified articles of the treaty.

CONTRACTING STATES: The following States have ratified the treaty: British Empire (including Canada, Australia, New Zealand, South Africa, and India), France, Italy, and Japan (these powers being described in the treaty as the Principal Allied and Associated Powers), Belgium, Bolivia, Brazil, Cuba, Czechoslovakia, Greece, Guatemala, Haiti, Hedjaz, Honduras, Liberia, Nicaragua, Panama, Peru, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Siam, Uruguay (these powers constituting, with the four principal powers above named, the Allied and Associated Powers), and Germany.

TEXT: English and French (both authentic), G. B. T. S. 1919, No. 4, Cmd. 153; U. S., 66th Cong., 1st sess., S. Doc. No. 51; English, U. S., 66th Cong., 1st sess., S. Doc. No. 41. For specific references to contents, see Index to this treaty published in G. B. T. S., 1920, No. 1, Cmd. 516.

I. Most-favored-nation treatment is unconditionally pledged by Germany (subject to exceptions and limitations noted below under II *a-g*) to all Allied and Associated States in regard to:

(a) **IMPORTATION, EXPORTATION, TRANSIT.**—Every favor, immunity, or privilege granted by Germany in regard to importation, exportation, or transit of goods. (Art. 267.)

¹²⁸ For detailed stipulations in Germany's treaty of peace of 28 June, 1919, with the Allied and Associated Powers concerning her treaty relations after the World War, see Arts. 282-95 of that treaty, noted in this volume under No. 314, VII *j-n*. Treaties of the former German Empire with the Allied and Associated Powers not now in force have been included in this volume to show the character and extent of the Empire's commercial treaty relations before the World War.

¹²⁹ Signed by the following powers: The United States of America, British Empire (including Canada, Australia, New Zealand, South Africa, and India), France, Italy, and Japan, Belgium, Bolivia, Brazil, Cuba, Czechoslovakia, Ecuador, Greece, Guatemala, Haiti, Hedjaz, Honduras, Liberia, Nicaragua, Panama, Peru, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Siam, Uruguay, and Germany.

(b) **IMPORTATION.**—All duties or charges (including internal charges), and all prohibitions or restrictions imposed on importation into German territory of products of any Allied or Associated State, from whatever place arriving. (Art. 264.)

No discrimination to be made, on importation, against the commerce of any Allied and Associated State, even by indirect means, such as customs regulations and procedure, methods of verification or analysis, conditions of payment of duties, tariff classification or interpretation, or the operation of monopolies. (Art. 265.)

Until 10 Jan., 1923, the products which (being comprised in Section A of the first Category of the German customs tariff of 25 Dec., 1902) enjoyed on 31 July, 1914, rates conventionalized by treaties with the Allied and Associated Powers, also all kinds of wine and vegetable oils, artificial silk, and washed or scoured wool, whether or not these additional articles were the subject of special conventions before 31 July, 1914, shall not, when imported into Germany from Allied and Associated States, be subject to higher duties than the most favorable rates applied to said products on 31 July, 1914. (Art. 269.)

(c) **EXPORTATION.**—All duties or charges (including internal charges) in all that concerns exportation of German products to any Allied and Associated State; and any prohibitions or restrictions on exportation of any goods sent from German territory to any such State. (Art. 266.)

(d) **FISHING, COASTING TRADE, TOWAGE.**—Treatment of vessels of Allied and Associated Powers in German territorial waters, as regards sea fishing, maritime coasting trade, and maritime towage. (Art. 271.)

(e) **TRADE AND INDUSTRY.**—Any prohibitions, regulations, or restrictions in regard to occupations, professions, trade, and industry. (Art. 276 a-b.)

(f) **AIRCRAFT.**—Treatment of aircraft of Allied and Associated Powers as regards internal commercial air traffic in Germany. (Art. 318.)

II. Exceptions and limitations.—The provisions of Articles 264 to 272, 276, and 318 (stipulating most-favored-nation treatment as noted above under I a-f) are subject to the following exceptions and limitations:

(a) Until 10 Jan., 1925, products which both originate in and come from Alsace and Lorraine reunited to France shall, on importation into German customs territory, be exempt from all customs duty. The amount of the products to enjoy this exemption is limited to the average amounts sent annually in the years 1911-1913. (Art. 268 a.)

(b) Until 10 Jan., 1925, Germany must allow free export and free reimportation into Germany, exempt from all customs duties and other charges (including internal charges), of textile materials or products of any kind sent from Germany into Alsace or Lorraine, to be subjected there to any finishing process. (Ibid.)

(c) Until 10 Jan., 1923, products which both originate in and come from Polish territories which before the war were part of Germany shall, on importation into German customs territory, be exempt from all customs duty. The amount of the products to enjoy this exemption is limited to the average amounts sent annually in the years 1911-1913. (Art. 268 b.)

(d) The Allied and Associated Powers may require Germany to accord freedom from customs duty, on importation into German customs territory, to products which both originate in and come from Luxemburg, until 10 Jan., 1925. The amount of products which may thus be sent annually into Germany is limited to the average sent annually in the years 1911-1913. (Art. 268 c.)

(e) Obligations imposed on Germany by Articles 264 to 272 (noted above under I a-d) shall cease to have effect after 10 Jan., 1925, unless the council of the League of Nations decides before 10 Jan., 1924, that these obligations shall be maintained for a further period with or without amendment. (Art. 280.)

(f) Article 276 (noted above under I e) may be kept in operation after 10 Jan., 1925, with or without amendment, for a further period not exceeding five years, by a majority of the council of the League of Nations. (Art. 280.)

(g) Article 318 (noted above under I f) remains in force until 1 Jan., 1923, subject to contingency noted below under VI. (Art. 320.)

III. National and most-favored-nation treatment is unconditionally pledged by Germany to all the Allied and Associated Powers (subject to exceptions and limitations noted below under IV) in regard to:

(a) **PORTS, WATERWAYS, AND RAILWAYS.**—Transit through German territories, by rail, waterway, or canal, of persons, goods, vessels, carriages, wagons, and mails coming from or going to any Allied and Associated State, whether contiguous or not. Such persons, goods, vessels, etc., shall not be subjected to any transit duty or to any delays or restrictions, and shall be entitled in Germany to national treatment as regards charges, facilities, and all other matters. Goods in transit to be exempt from all customs or other similar duties. All transport charges to be reasonable, and no charge, facility, or restriction shall depend on ownership or nationality of the ship or other means of transport employed for any part of the through journey. (Art. 321.)

(b) **TAXES, CHARGES, PROHIBITIONS.**—Germany undertakes to make no discrimination or preference, direct or indirect, in the duties, charges, and prohibitions relating to importations into or exportations from her territories, or (subject to special arrangements contained in this treaty) in the charges and conditions of transport of goods or persons entering or leaving her territories, based on nationality of ports or means of transport employed, or on any of the other grounds or reasons detailed. Germany particularly undertakes not to establish against the ports and vessels of any Allied or Associated Power any surtax or any direct or indirect bounty for export or import by German ports or ships, or by those of another power, for example, by means of combined tariffs. (Art. 323.)

(c) **TRANSIT TRAFFIC.**—Transportation of goods in transit from or to territories of Allied and Associated Powers, as regards rapidity of carriage and care en route, with special reference to perishable goods and customs formalities relating thereto. (Art. 324.)

(d) **SEAPORTS.**—Treatment of seaports of Allied and Associated Powers as regards all favors and reduced tariffs granted on German railways or navigable waterways for the benefit of any German or other port. (Arts. 325–6.)

(e) **NAVIGATION.**—Treatment of vessels and property of nationals of the Allied and Associated Powers in ports and on inland navigation routes in Germany, in all respects, including transport of goods and passengers without unnecessary impediment to or from any ports or places in German territory to which German vessels may have access, with special reference to port and harbor facilities and charges of every description, no matter by whom or how levied. (Art. 327.)

(f) **FREE ZONES IN PORTS.**—Charges permitted to be levied for specified purposes (administration, upkeep, and improvement of port, and use of installations) on vessels and goods entering a free zone. Adequate facilities to be granted for erection of warehouses, and for packing and unpacking of goods, without discrimination between persons of different nationalities or between goods of different origin or destination. No import or export duties to be levied on goods entering or leaving the free zone, except import duties on goods leaving the free zone for consumption in the country on the territory of which the port is situated, and export duties on goods coming from such country into the free zone. Goods consumed in the free zone are exempt from all duties whatever, except a duty for traffic statistics not to exceed 1 per mille ad valorem. No import, export, or transit duty on goods carried by land or water across German territory to or from the free zone from or to any other State. (Art. 330.)

(g) **INTERNATIONAL WATERWAYS.**—Equal treatment of the property and flags of all powers on the German waterways declared to

be international, with special reference to the Elbe, Oder, Niemen, and Danube. (Arts. 331-2.) The detailed régime concerning international waterways set out in Articles 332 to 337 shall be superseded by a general convention (to which Germany undertakes to adhere in advance) drawn up by the Allied and Associated Powers and approved by the League of Nations. (Art. 338.)

(*h*) **INTERNATIONAL TRANSPORT.**—Treatment on German railways of goods coming from territories of the Allied and Associated Powers and going to Germany, or in transit through Germany from or to said territories, as regards charges, facilities, and all other matters; with special reference to conditions of transport and length of route. (Art. 365.)

(*i*) **USE OF RAILWAYS.**—Railway tariffs (including drawbacks and rebates) applicable under the same conditions of speed and comfort to transportation of emigrants going to or coming from ports of Allied and Associated Powers and using the German railways. Germany must cooperate in establishment of through ticket services (for passengers and their luggage) required by any of said powers to ensure their communication by rail with each other and with all other countries by transit through Germany, and must accept trains and carriages coming from territories of said powers. (Arts. 367-9.)

(*j*) **KIEL CANAL.**—Treatment of the nationals, property, and vessels of all powers, as regards charges, facilities, and in all other respects; the Canal and its approaches to be free and open to vessels of commerce and war of all nations at peace with Germany on terms of entire equality. (Arts. 380-2.)

IV. Exceptions and limitations.—The stipulations in Articles 321 to 330, 332, 365, and 367 to 369 (including those noted above under III *a-i*) are subject to revision by the council of the League of Nations at any time after 10 Jan., 1925. Failing such revision, no Allied or Associated Power can thereafter (unless this five-year period is prolonged by said council) claim the benefit of any of those stipulations for any portion of its territories in which reciprocity is not accorded in respect thereof. (Art. 378.)

V. National treatment is pledged by Germany to nationals of the Allied and Associated Powers (subject to various time limits noted below under VI *a-b*) in respect to:

(*a*) **TAXATION.**—All charges, taxes, or imposts, direct or indirect, imposed on nationals of the Allied and Associated Powers, their property, rights, or interests, including companies and associations in which they are interested. (Art. 276 *c*.)

(*b*) **RESTRICTIONS.**—Any restriction which was not applicable to nationals of the Allied and Associated Powers on 1 July, 1914. (Art. 276 *d*.)

(c) **PROPERTY RIGHTS.**—Any measures in derogation of property rights affecting the property rights or interests restored to nationals of Allied and Associated Powers under Article 297 of this treaty, including companies and associations in which they are interested. (Art. 298 b.)

(d) **AERIAL NAVIGATION.**—Treatment of aircraft of Allied and Associated Powers when passing over or landing in German territory or territorial waters, particularly in case of distress by land or sea (Art. 313), including any regulations which Germany may make with reference to rights of passage, transit, and landing (Arts. 314 and 316).

(e) **AERODROMES.**—Use of aerodromes in Germany by aircraft of the Allied and Associated Powers, with special reference to charges of every description, including charges for landing and accommodation. (Art. 315.)

(f) **CERTIFICATES AND LICENSES.**—Recognition of certificates of nationality, airworthiness, or competency, and of licenses issued or recognized as valid by any of the Allied and Associated Powers. (Art. 317.)

(g) **RAILWAYS.**—Treatment of rolling stock of Allied and Associated Powers on German railway lines, as regards movement, upkeep, and repairs. (Art. 370.)

VI. Time limits.

(a) Provisions of Articles 313 to 319 (including those noted above under V d-f) shall remain in force until 1 Jan., 1923, unless before that date Germany is admitted into the League of Nations, or authorized by the Allied and Associated Powers to adhere to the convention concluded between said powers relative to aerial navigation. (Art. 320.)

(b) Article 276 (noted above under V a-b) may be kept in operation after 10 Jan., 1925, with or without amendment, for a further period not exceeding five years by a majority of the council of the League of Nations. (Art. 280.)

VII. Other provisions.

(a) **UNFAIR COMPETITION.**—Germany undertakes to adopt all necessary legislative and administrative measures to protect products of any Allied and Associated Power from all forms of unfair competition in commercial transactions; and undertakes to prohibit and repress by seizure and other appropriate remedies the importation, exportation, manufacture, distribution, or sale in its territory of all goods bearing marks or descriptions calculated to convey a false indication of origin, type, nature, or special characteristics of such goods. (Art. 274.)

(b) **REGIONAL APPELLATIONS.**—Germany undertakes (on condition of reciprocity) to respect laws and decisions of Allied and Associ-

ated States duly communicated to her by proper authorities, defining or regulating the right to regional appellations for wines or spirits produced in the State to which the region belongs; and to prohibit and repress by seizure and other appropriate remedies the importation, exportation, manufacture, distribution, or sale of articles bearing regional appellations inconsistent with such law or order. (Art. 275.)

(c) GOVERNMENT TRADING.—If the German Government engages in international trade, it shall not in respect thereof have any rights, privileges, or immunities of sovereignty. (Art. 281.)

(d) AERIAL NAVIGATION.—German aircraft flying over her territory must comply with the rules for air traffic in the neighborhood of aerodromes, as laid down in the convention concluded between the Allied and Associated Powers, with special reference to lights, signals, and rules of the air. (Art. 319.)

(e) TRANSMIGRATION.—Germany undertakes not to exercise any control over transmigration traffic through her territories beyond measures necessary to insure that passengers are bona fide in transit, nor to allow any shipping company or other private corporation or person interested in the traffic to take part in or exercise influence over any administrative service that may be necessary for this purpose. (Art. 322.)

(f) CZECHOSLOVAKIA.—Use of free zones in the ports of Hamburg and Stettin is assured to Czechoslovakia for transit of goods passing from or to that State. (Arts. 363-4.)

(g) PECUNIARY CLAIMS.—Germany undertakes not to put forward directly or indirectly against any power signatory of this treaty any pecuniary claim based on events which occurred at any time before 10 Jan., 1920; all claims of this nature are extinguished after that date, whoever may be the parties in interest. (Art. 439.)

(h) PRIZE COURTS.—Germany accepts as valid and binding specified decrees and orders made by any prize court of the Allied and Associated Powers, and waives all claims arising therefrom on behalf of any German national. Said powers reserve the right to examine in their own way all decisions and orders of German prize courts. Germany agrees to furnish copies of all documents constituting the record of the case, and to give effect to recommendations made after such examination. (Art. 440.)

(i) CONSULAR OFFICERS.—Germany undertakes to approve consular officers which Allied and Associated Powers may appoint, and to admit them to the exercise of their functions in conformity with the usual rules and customs. (Art. 279.)

(j) TREATIES.—Enumeration of multilateral treaties, conventions, and agreements to be applied, after 10 Jan., 1920, and subject to pro-

visions of this treaty, as between Germany and those of the Allied and Associated Powers party thereto. (Arts. 282-7.)

(*l*) Each of the Allied and Associated Powers must, before 10 July, 1920, notify to Germany the bilateral agreements of all kinds which such power wishes to revive with Germany; all not thus notified are and remain abrogated. This applies even to those of the Allied and Associated Powers who were not in a state of war with Germany. (Art. 289.)

(*l*) Germany undertakes to adhere to any general conventions regarding international régime of transit, waterways, ports, or railways which may be concluded by the Allied and Associated Powers, with approval of the League of Nations, before 16 July, 1925. (Art. 379.)

(*m*) Germany renounces all rights accorded to her or her nationals by treaties, conventions, or agreements of whatsoever kind, to representation upon or participation in the control or administration of commissions, state banks, agencies, or other financial or economic organizations of an international character, exercising powers of control or administration, and operating in any of the Allied or Associated States, or in Austria, Hungary, Bulgaria, or Turkey (or their dependencies), or in the former Russian Empire. (Art. 258.)

(*n*) Abrogation of all treaties, etc., concluded by Germany with her allies in the war from 1 Aug., 1914, to 10 Jan., 1920. (Art. 290.)

(*o*) Extensive provisions concerning rights of industrial, literary, and artistic property. (Arts. 306-11.)

Further extensive and detailed provisions relate to the following matters:

(*p*) Political clauses for Europe. (Arts. 31-117.)

(*q*) German rights and interests outside Germany. (Arts. 119-58.)

(*r*) Reparation (Arts. 231-47); financial clauses (Arts. 248-63).

(*s*) Debts. (Art. 296 and annex.)

(*t*) Property, rights, and interests. (Arts. 297-8 and annex.)

(*u*) Contracts, prescriptions, and judgments. (Arts. 299-303 and annex.)

(*v*) Mixed arbitral tribunal. (Arts. 304-5 and annex.)

(*w*) Ports, waterways, and railways. (Arts. 321-86.)

(*x*) Covenant of the League of Nations.¹³⁰ (Arts. 1-26.)

(*y*) Articles relating to labor.¹³¹ (Arts. 387-427.)

(*z*) Penalties (Arts. 227-30); and miscellaneous provisions (Arts. 434-40).

¹³⁰ See No. 506.

¹³¹ See No. 507.

Treaty with Greece.**No. 315.***Treaty of commerce and navigation between Germany and Greece.*

SIGNED 9 July, 1884, at Athens. Effective from 2 Mar., 1885, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XVI.) Abrogates and replaces all commercial treaties previously made with Greece by individual German States. (Art. XVI.)

TEXT: German, HdV. 1906: 221-34; Greek and French, Greece Tr. 1912: 344-67; French, B. F. S. P. 75: 48-58.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any favor, privilege, immunity, or concession which either country may accord to any third Power with regard to importation, exportation, transit, or warehousing; with special reference to reduction of import or export duties, and dues or customs formalities of any kind. (Art. X.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Treatment of citizens of either country exercising the following professions in the other: Druggists, brokers, peddlers, and other itinerant tradesmen. (Art. I.)

(b) Rights which commercial, industrial, and financial companies and associations of either country may exercise in the other. (Art. IV.)

(c) Exceptional prohibitions which either country may impose against the other on importation, exportation, or transit. (Art. VIII.)

(d) Any favors or privileges which either country may grant in respect of its coasting trade, on condition of reciprocity. (Art. XIV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) All taxes, imposts, restrictions, or charges of any kind (general or local) imposed on citizens of either country in the other, except as noted below under V. (Art. I.)

(b) All rights, privileges, and favors of any kind which either country may grant in matters of commerce, navigation, and industry (Art. I.), except as noted below under V.

(c) Military charges, contributions, or requisitions incumbent on possession of landed property in either country. (Art. V.)

III. National treatment is reciprocally pledged with regard to:

(a) Acquisition, possession, and disposal of, or succession to, property of all kinds, real or personal, by will or otherwise in any manner, and payment of taxes or imposts relating thereto. (Art. II.)

(b) Right of citizens of either country to manage their affairs in the other personally or by agents, and payment of fees or charges of any kind relating thereto. (Art. III.)

(c) All rights and privileges concerning access to courts of justice, and employment of advocates or other agents therein. (Art. III.)

(d) Any obligations, restrictions, imposts, or taxes imposed on citizens of either country in the other, as regards their persons or their property of any kind. (Art. V.)

(e) Duties of excise, consumption, octroi, and other similar duties levied in either country. These must not bear more heavily on imported products of the other country than on national products. (Art. IX.)

(f) Treatment of vessels of either country in ports of the other in all matters concerning importation, exportation, transit, or warehousing of merchandise, and all privileges, favors, and drawbacks relating thereto, with special reference to payments of taxes and customs duties. (Art. XII.)

(g) Treatment of vessels of either country in ports of the other, in all respects, from whatever place arriving and whatever their destination, with special reference to payment of duties for tonnage, lighthouse, pilotage, port, towage, quarantine, and similar dues affecting the hull of the ship, whether levied for the State, for public officials, or for communes or corporations in either country. (Art. XIII.)

(h) Any privileges or favors which either country may accord with regard to stationing, loading, and unloading of vessels in its ports, roadsteads, and other waters, including any formalities or dispositions affecting merchant vessels and their crews or cargoes. (Art. XIII.)

(i) Any duties of supervision payable by vessels of either country in ports of the other on cargo not discharged at that port. (Art. XIV.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all military service by land or sea; from all military requisitions, contributions, charges, or forced loans (except charges incumbent on possession of landed property); and from obligation to accept any judicial, administrative, or municipal office. (Art. V.)

(b) Merchants, manufacturers, and their commercial travelers of either country may make purchases and solicit orders in the other, with or without samples. (Art. VI.)

(c) Exemption of commercial travelers' samples from import and export duties in either country, subject to customs regulations relating thereto. (Art. VI.)

(d) Products of either country enumerated in Tariffs A and B annexed to this treaty shall be admitted into the other at the duties and under provisions specified in said tariffs. (Art. IX.)

(e) Nationality of vessels to be recognized in accordance with laws of the country to which they belong. (Art. XI.)

V. Exceptions.—The provisions of Article I (noted above under II *a-b*) do not apply to druggists, brokers, peddlers, and other itinerant tradesmen. (Art. I.)

Treaty with Haiti.

No. 316.

Convention of Commerce between Germany and Haiti.

SIGNED 29 July, 1908, at Port au Prince. Effective from 1 Sept., 1908, for three years, and thereafter until terminated by six months' notice from either party. (Art. VI.)

TEXT: German, Hdv. 1915: 20-2; French, B. F. S. P. 101: 1028-30.

(a) Germany agrees to admit certain articles of Haitian origin enumerated in Table 1, annexed to this convention, at the lowest tariff rates applied to all similar products. (Art. I.)

(b) Haiti agrees to admit certain products of German origin enumerated in Table 2, annexed to this convention, at a reduction of 25 per cent from the principal import duties, from the 50 per cent surtaxes, and from the 33½ per cent duty provided in the Haitian minimum tariff by the law of 6 Sept., 1906. (Art. II.)

(c) Beer shall be admitted into Haiti at one-third of the existing duty, and Moselle wines shall be taxed at the rate of white wines. (Art. III.)

(d) Detailed provisions concerning certificates of origin which must accompany merchandise in order that imports may benefit by the favors stipulated under *a*, *b*, and *c* above. (Art. IV.)

(e) Haiti undertakes not to increase the tonnage duty, nor the principal import duties on German articles named in Table 2, nor the duties on beer and Moselle wines, so long as Germany does not alter the duties on Haitian products named in Table 1. (Art. V.)

Treaty with Honduras.

No. 317.

Treaty of friendship, commerce, and navigation between Germany and Honduras.

SIGNED 12 Dec., 1887, at Guatemala. Effective from 2 July, 1888, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XXXII.)

TEXT: German, Hdv. 1906: 279-92; English (transl.), B. F. S. P. 79: 1152-62.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all rights and privileges which either country

may concede to any other nation in matters relating to commerce, navigation, and consuls (Art. XXX); except special favors which Honduras may grant to other Central American Republics (Art. XXXIII and protocol).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Rights, liberties, and free concessions to which merchants of either country are entitled in the other with regard to commercial matters; with special reference to duties which either country may impose on importation of products of the other. (Art. XIII.)

(b) Any duties imposed by either country on exportation of merchandise to the other. (Art. XIII.)

(c) Any prohibition or restriction imposed on importation or exportation of any articles of commerce between the two countries. (Art. XIII.)

(d) Formalities required for proof of origin or destination of merchandise imported into either country. (Art. XIII.)

(e) The coasting trade of both countries. (Art. XVI.)

(f) Treatment of warships of either country in ports of the other, and all rules and advantages relating thereto. (Art. XX.)

(g) Appointment of consular officers (Art. XXI) and all privileges, exemptions, and immunities accorded to them in either country (Art. XXII).

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Right of citizens of either country to go freely and securely with ships and cargoes to all ports, places, and rivers open to foreigners in either country. (Art. II.)

(b) Any charges, exactions, or taxes payable by citizens of either country in the other on account of their real and personal property. (Art. VI.)

III. National treatment is reciprocally pledged with regard to:

(a) Contributions, taxes, or obligations of any kind imposed on citizens of either country in the other on account of their residence, property, or business. (Art. III.)

(b) All rights, privileges, and conditions concerning protection of persons and property in either country, including free access to courts of justice and employment of advocates or other agents therein. (Art. V.)

(c) Any dues or taxes payable by citizens of either country in the other on succession to or disposal of property by will or otherwise, including specified taxes on exportation of property. (Art. IX.)

(d) Any extraordinary taxes, contributions, or loans imposed by either country on citizens of the other in case of war between the

two countries (Art. XI), with special reference to any charges or imposts payable in either country on real or personal property, credits, or claims of any kind (Art. XII.)

(*c*) Tonnage, light, port, pilotage, quarantine, or any other dues payable on vessels of either country entering or leaving ports of the other. (Art. XIV.)

(*f*) All duties, charges, or formalities imposed on articles of any kind imported into or exported from either country in ships of the other, from whatever place arriving and for any destination. (Art. XV.)

(*g*) Any duties payable by vessels of either country loading or discharging foreign cargo at different ports of the other on the same voyage. (Art. XVI.)

(*h*) Any navigation dues payable by vessels of either country seeking refuge in ports or on coasts of the other from damage or shipwreck. (Art. XVII.)

IV. Other provisions.

(*a*) Citizens of either country may travel and reside in any part of the other, and trade there by wholesale or retail, and conduct their business in any capacity, personally or by agents; also hire, purchase, and possess land, warehouses, and shops; transport merchandise and precious metals; and receive consignment from the interior or from foreign countries. (Art. III.)

(*b*) Neither country to concede any monopoly, indemnification, or privilege to the detriment of the commerce, flag, or citizens of the other, except:

(1) Government monopolies in either country.

(2) Introduction or application of patents for inventions.

(3) Privileges conceded by contract or title. (Art. IV.)

(*c*) Citizens of either country are exempt in the other from all personal military services by land or sea, from all extraordinary war contributions, forced loans or requisitions, and from obligation to accept political, administrative, and judicial offices. (Art. VI.)

(*d*) The vessels, cargoes, merchandise, and effects of citizens of either country are exempt in the other from embargo or detention for any military expedition or public use, without just and sufficient indemnification being previously determined for all prejudices, losses, delays, and damages sustained. (Art. VII.)

(*e*) Provisions concerning freedom of conscience and of religious worship, and right of burial at suitable places in either country. (Art. VIII.)

(*f*) Right of citizens of either country to acquire and possess all kinds of real and personal property in the other, and to dispose of the same in any manner, by will or otherwise. (Art. IX.)

(g) Provision concerning nationality of citizens of either country and their children in the other. (Art. X.)

(h) In case of war between the two countries, citizens of either residing in the other may remain and continue their occupations or professions without molestation, so long as they do not transgress the laws of the country, their property of all kinds to be exempt from embargo or sequestration and from all charges or imposts not exacted from natives likewise. In case they prefer to leave the country they shall be allowed to settle their affairs and dispose of their possessions and to take their property or proceeds thereof from the country without any deduction, and shall have a safe conduct to port. (Arts. XI; XII.)

(i) Tonnage and other dues charged on capacity of vessels shall be ascertained in either country on ships of the other from the certificate of registry. (Art. XIV.)

(j) Nationality of vessels to be recognized in accordance with ships' papers required by the respective laws. (Art. XVIII.)

(k) Detailed and extensive provisions relating to piracy (Art. XIX); rights, immunities, and functions of consular officers (Arts. XXII-XXVIII); stranded or shipwrecked vessels (Art. XXIX); and procedure in case of violation of this treaty (Art. XXXI).

V. Territorial application.—This treaty applies also to Luxemburg, so long as it shall belong to the German customs and commercial system. (Protocol.)

Treaty with Hungary.

No. 318.

Provisional commercial treaty between Germany and Hungary.

SIGNED 1 June, 1920, at Berlin. Ratifications exchanged 30 Dec., 1920. Effective from exchange of ratifications for three months, and thereafter until terminated by three months' notice from either party. (Art. XI.)

TEXT: German and Hungarian, Reichsgbl. 1920: 2228-35; English (transl.), State Department dispatch No. 1210, Budapest, 22 Apr., 1921.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below under V *a-b*) as the basis of economic relations between the two countries, with special reference to:

(a) Any prohibitions or restrictions imposed by either country on importation, exportation, or transit; import and export duties; customs formalities; internal consumption dues and similar taxes. (Arts. I, 1, and III.)

(b) Acquisition and possession of movable and immovable property, and disposal thereof; also exercise of commerce, trade, industry, and agriculture by nationals and companies of either country in the other; and all duties, taxes, and other imposts or charges relating thereto. (Art. I, 2.)

(c) Treatment in either country of merchants, manufacturers, and commercial travelers from the other making purchases or soliciting orders under conditions stated, with special reference to payment of trade dues and treatment of travelers' samples in their possession. (Ibid., 3.)

(d) Admittance and treatment of vessels and their crews and cargoes, with special reference to payment of navigation dues. (Ibid., 4.)

(e) Conveyance of persons by carriers on land and waterways. (Ibid., 5.)

(f) Appointment of consuls, and all rights, powers, and immunities accorded to consular officers in either country. (Art. X.)

II. National and most-favored-nation treatment is reciprocally pledged respecting treatment of goods delivered to railways of either country for transportation to or through the other, as regards expedition, freight rates, and public dues connected with transportation. (Annex I, 3.)

III. National treatment is reciprocally pledged with regard to: —

(a) Admittance of ships and cargoes of either country into ports and territories of the other, and all conditions and dues relating thereto. This applies both to seagoing vessels and to inland navigation and coasting trade. (Art. VIII.)

(b) Use of all public means of traffic in either country (roads, canals, locks, bridges, ports, landing places, etc.), and all operating equipment pertaining thereto, and all conditions and charges relating thereto. (Art. IX.)

(c) Treatment of inhabitants of either country in the other with reference to passenger and goods traffic on railways, as regards expedition, freight rates, and public dues connected with transportation. (Annex I, 2.)

IV. Other provisions.

(a) Subject to restrictions due to economic conditions as noted below under IV *b*, each country engages not to obstruct commerce with the other in any way by prohibitions against importation, exportation, or transit, except in the following cases applying to all countries under the same conditions:

(1) War requirements in extraordinary circumstances. (Art. III, 1.)

(2) Considerations of public safety. (Ibid., 2.)

(3) Measures of sanitary police, or to protect animals and useful plants from injury or disease. (Ibid., 3.)

(4) Application to imported merchandise of prohibitions or restrictions imposed by internal legislation on production, sale, distribution, or consumption of similar national products. (Ibid., 4.)

(b) The system of import and export restrictions existing in both countries, due to economic consequences of the World War, shall remain in force so long as economic conditions demand, but shall be removed as the economic situation improves. Meantime both countries will deal benevolently with applications for individual exceptions. Detailed stipulations concerning import and export permits. (Arts. IV, V.)

(c) Goods and persons coming from either country shall not be subject in the other to any restriction or transit dues, except articles which are the object of a State monopoly or of a similar arrangement in the country of transit. But the transit of salt on the Danube is subject to no restrictions. (Art. VI.)

(d) The railway traffic between the two countries is based on the international convention of 14 Oct., 1890, relating to railway goods traffic, and supplements thereto. Any changes in the provisions of this convention which may now be necessary shall be made by the contracting parties in manner stated. (Annex I, 1.)

(e) Detailed provisions designed to facilitate through traffic for persons and goods over railways of both countries. (Ibid., 4-8.)

(f) Provisions concerning restoration to Germany of German locomotives and railway carriages still in Hungarian territory. (Annex II.)

V. Exceptions.—The most-favored-nation provisions of Article I (noted above under I *a-e*) do not apply to:

(a) Favors which either party may accord to another State in virtue of a customs union. (Art. II.)

(b) Favors accorded by either party to a bordering State to facilitate frontier traffic within 15 kilometers of the border line. (Ibid.)

Treaty with Italy.

No. 319.

Treaty of commerce and navigation between Germany and Italy, and treaty additional thereto.

SIGNED 6 Dec., 1891. Additional treaty signed 3 Dec., 1904.¹³² Effective until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Addl. treaty, Art. III.)

TEXT: German, Hdv. 1906: 293-352; French, B. F. S. P. 83: 259-305.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any favors, privileges, facilities, immunities, or tariff reductions which either country may accord to any third power; with special reference to payment of duties on importation, exportation, and matters concerning transit, warehousing, local taxes, customs treatment and formalities, and internal duties of consumption and

¹³² German, Hdv. 1906: 293-352; French, B. F. S. P. 100: 1045-55.

excise of all kinds, whether levied by the State or by communes or corporations in either country. (Arts. VII and IX.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Treatment of citizens of either country engaged in the following professions in the other: Pharmacists, brokers, peddlers, and other itinerant tradesmen. (Art. I.)

(b) Exceptional prohibitions which either country may impose on importation, exportation, or transit (Addl. tr.,¹³² Art. VI), as noted under IV*c* below.

(c) Any favors or privileges which either country may accord in respect to its coasting trade, on condition of reciprocity. (Art. XIV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in general terms respecting all rights, privileges, and favors of any kind which either country may grant in matters of commerce, industry, and navigation (except as noted below under V), and with reference to payment of any taxes, contributions, charges, or fees of any kind, whether general or local. (Art. I.)

III. National treatment is reciprocally pledged with regard to:

(a) All civil rights (except political), with special reference to acquisition, possession, and disposal of or succession to all kinds of property, movable or immovable, in any manner whatever, and payment of taxes or imposts relating thereto. (Art. II.)

(b) Right of citizens of either country to manage their affairs in the other personally or otherwise, subject only to restrictions established by law in either country. (Art. III.)

(c) All rights and immunities concerning access to courts of justice, and employment of advocates or other agents therein. (Art. III.)

(d) Any obligations, restrictions, or taxes which either country may impose on citizens of the other as regards their persons or property of any kind, including military requisitions, contributions, or charges incumbent on possession of landed property. (Art. IV.)

(e) Internal duties on production or consumption, whether levied in either country by the State or by municipalities or corporations. These must not bear more heavily on products of the other country than on similar articles of domestic production. (Art. X.)

(f) Treatment of merchandise from either country on railways of the other, with special reference to rates, time, and manner of transportation, except only reduced rates for a public or charitable purpose. (Art. X*a*.)

(g) Equal treatment of vessels of either country as regards importation, exportation, transit, or warehousing of any goods what-

¹³² German, Hdv. 1906: 293-352; French, B. F. S. P. 100: 1045-55.

ever, whether carried in vessels of either nation, with special reference to customs dues, and any restrictions, privileges, reductions, bonuses, or rebates relating thereto. (Addl. tr.¹³² Art. XII.)

(*h*) Treatment of vessels of either country in ports of the other, in all respects, from whatever place arriving and whatever their destination, with special reference to dues for tonnage, lighthouse, port, quarantine, and any other dues imposed on the hull of the ship, under whatever name, whether levied for the State, for public officials, communes, or for establishments of any kind. (Art. XIII.)

(*i*) Any privilege or favor in matters concerning the stationing, loading, or unloading of vessels in the ports, roadsteads, bays, and basins of either country, including any formalities or regulations affecting vessels and their crews or cargoes. (Art. XIII.)

(*j*) Any dues payable by vessels of either country in ports of the other on cargo not discharged at that port. (Art. XIV.)

IV. Other provisions.

(*a*) Citizens of either country are exempt in the other from all military service by land or sea, from all forced loans and other extraordinary contributions of any kind, from quartering of troops, and from obligation to accept judicial, administrative, or municipal office, except military charges and requisitions incumbent on possession of landed property in either country. (Art. IV.)

(*b*) Provisions concerning treatment in either country of merchants and commercial travelers from the other (Art. V); and exemption of commercial travelers' samples from import and export duties in either country, subject to customs regulations relating thereto (Art. V).

(*c*) Neither country to obstruct its commerce with the other by prohibitions against importation, exportation, or transit, except for the following reasons applying to all other countries under the same conditions:

(1) Provisions of war in exceptional circumstances.

(2) Consideration of public security.

(3) Sanitary measures, or to protect animals and useful plants from disease, noxious insects, and parasites.

(4) Application to imported merchandise of internal laws prohibiting or restricting domestic production, sale, or transportation of similar articles of national production. (Addl. tr.,¹³² Art. VI.)

(*d*) Products of either country enumerated in tariffs A and B annexed to this treaty, when imported into the other, shall pay the duties specified in these tariffs. (Art. VII, final protocol, and addl. tr.,¹³² Art. I.)

(*e*) Certificates of origin and all other certificates required for customs purposes shall be issued and legalized by the competent authorities gratuitously. (Art. VIII.)

¹³² German, Hdv. 1906 : 293-352 ; French, B. F. S. P. 100 : 1045-55.

(f) Nationality of vessels to be recognized in accordance with laws of each country. (Art. XI and final protocol.)

(g) Arbitration of disputes concerning interpretation or application of tariffs A and B annexed to this treaty, or concerning rates of conventional tariffs of either country, and statement of procedure relating thereto. (Addl. tr.,¹³² Art. XIV a.)

(h) Extensive tariff schedules of import duties payable in either country on products of the other, and detailed specifications relating thereto. (Addl. tr.,¹³² Arts. VII and XII.)

V. Exception.—The national treatment provisions of Article I (noted above under II) do not apply to pharmacists, brokers, peddlers, and other itinerant trades (Art. I); but most-favored-nation treatment is pledged, as noted above under I a.

VI. Territorial application.—This treaty applies to countries and provinces which may be united with either country in a customs union. (Art. XV.)

Treaties with Japan.

No. 320.

Treaty of commerce and navigation between Germany and Japan.

SIGNED 24 June, 1911, at Berlin. Ratifications exchanged 15 July, 1911, at Tokyo. Effective from 17 July, 1911 until 16 July, 1923, and thereafter until terminated by 12 months' notice from either party. (Art. XIX.)

TEXT: German, Hdv. 1915: 23-30; French, Japan Tr. 1918: 479-86; B. F. S. P. 105: 646-57.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms with regard to all privileges, favors, or immunities of any kind which either country may accord to vessels or subjects of any other State in matters concerning commerce, navigation, and industry, in all respects. (Art. XVII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All matters concerning residence, studies, and investigations; exercise of trades and professions; or execution of industrial and manufacturing enterprises, in all respects. (Art. I, 1.)

(b) Acquisition and possession of immovable property of any kind which laws of the country permit foreigners to acquire or possess, on condition of reciprocity, and subject to conditions and restrictions prescribed by said laws. (Art. I, 5.)

(c) Any duties or charges of any kind which either country may impose on exportation of any articles to territories of the other. (Art. IV.)

(d) Exceptional prohibitions which either country may impose against the other regarding importation, exportation, or transit (Art. V), as noted below under IV d.

¹³² German, Hdv. 1906: 293-352; French, B. F. S. P. 100: 1045-55.

(e) Treatment of merchants, manufacturers, and commercial travelers of either country in the other with regard to facilities and imposts. (Art. VII.)

(f) All facilities, fees, or charges affecting treatment of merchants, manufacturers, or commercial travelers of either country in the other. (Art. VII.)

(g) Rights which stock companies and other commercial, industrial, or financial societies and associations of either country may exercise in the other. (Art. IX.)

(h) All facilities, privileges, and immunities to be accorded in territorial waters of either country to vessels charged with a regular postal service of the other. (Art. XIV.)

(i) Any rights or privileges which either country may accord in respect of its coasting trade, on condition of reciprocity. (Art. XV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) All privileges, liberties, and rights, and all imposts or charges, concerning possession of personal property of any kind, or concerning transmission of any personal property lawfully acquired *inter vivos*, and disposal in any manner of all kinds of property lawfully acquired. (Art. I, 4.)

(b) Military requisitions or contributions which either country may impose on citizens of the other. (Art. I, 6.)

(c) Any charges or taxes imposed on citizens of either country in the other. (Art. I, 7.)

(d) All charges or dues for tonnage, transit, canal, port, pilotage, lighthouse, quarantine, and all similar duties or charges of any kind, no matter by whom or how levied in territorial waters of either country on ships of the other, from whatever place arriving and whatever their destination. (Art. XIII.)

III. National treatment is reciprocally pledged in regard to:

(a) Right of citizens of either country to travel in all parts of the other, and to trade there in all articles of lawful commerce. (Art. I, 2.)

(b) Exemption of dwellings and other premises from domiciliary visits or search, and all books, papers, or accounts from inspection or examination; except under conditions and with legal forms applying to citizens of the country. (Art. II.)

(c) Treatment of citizens of either country in the other as regards exemption from transit duties, and in all matters relating to warehousing, bounties, drawbacks, and facilities, concerning importation or exportation of merchandise. (Art. VI.)

(d) Importation and exportation. Whatever articles may be lawfully imported into or exported from either country in its own

vessels, may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination; without paying other or higher duties or charges of any kind, and subject to the same bounties or drawbacks, as when carried in national vessels. (Art. X.)

(e) All privileges and facilities which either country may accord in regard to stationing, loading, or unloading of vessels in the territorial waters of either nation. (Art. XI.)

(f) Assistance, protection, and immunities accorded to vessels seeking refuge from damage or shipwreck. (Art. XVI.)

IV. Other provisions.

(a) Right of citizens of either country in the other to possess or hire and occupy houses, factories, stores, shops, and other premises, and to lease lands for residential and for lawful, commercial, industrial, or other uses. (Art. I, 3.)

(b) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from all taxes in substitution therefor, and from all forced loans. (Art. I, 6.)

(c) Citizens of either country may enter, with ships and cargoes, all places, ports, and rivers open to foreign commerce in territories of the other. (Art. III.)

(d) Neither country to obstruct its commerce with the other by any prohibition of importation, exportation, or transit; except in the following cases applying to all countries under the same conditions:

(1) Provisions of war in exceptional circumstances. (Art. V, 1.)

(2) Considerations of public security. (Ibid., 2.)

(3) Considerations of public health, and to protect animals and useful plants from disease or parasites. (Ibid., 3.)

(4) Application to foreign merchandise of prohibitions or restrictions imposed by internal legislation on production or distribution of similar domestic merchandise. (Ibid., 4.)

(e) Temporary duty-free admission of travelers' samples, subject to customs regulations and formalities relating thereto. (Arts. VII, VIII.)

(f) Stock companies and other commercial, industrial, or financial associations duly constituted in either country are authorized to exercise their rights in the other, with special reference to actions in courts of justice. (Art. IX.)

(g) Nationality of vessels to be determined (for purposes of this treaty) by the laws of each country. (Art. XII.)

(h) Vessels of either country may load or discharge foreign cargo (and passengers to or from foreign ports) at different ports of the other on the same voyage; but coasting trade is excepted. (Art. XV.)

(i) In case of stranded or shipwrecked vessels, salvaged merchandise is exempt from customs duties, unless cleared for internal consumption. (Art. XVI.)

V. Territorial application.—This treaty applies also to countries and territories belonging to the customs territory of either party. (Art. XVIII.)

No. 321.

Special and reciprocal customs convention between Germany and Japan.

SIGNED 24 June, 1911, at Berlin. Ratifications exchanged 15 July, 1911, at Tokyo. Effective until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. VII.)

TEXT: German, Hdv. 1915:30-5; French, Japan Tr. 1918:486-92; B. F. S. P. 105:652-6.

I. Most-favored-nation treatment.—Products of either country when imported into the other, from whatever place arriving, shall pay the lowest import duties applicable to similar articles of any other foreign origin (Art. II); subject to exceptions noted below under IV.

II. National treatment.—Products of either country duly imported into the other shall not be subject to other or higher taxes or duties of octroi, transit, warehousing, excise, or consumption than are payable on similar articles of national origin (Art. III); subject to exceptions noted below under IV.

III. Other provisions.

(a) Products of either country enumerated in Tariffs A and B annexed to this convention, when imported into the other, shall be admitted under the conditions specified in said tariffs, from whatever place arriving. (Art. I.)

(b) Certificates of origin may exceptionally be required by either country for articles imported from the other, under conditions stated. (Art. IV.)

IV. Exceptions.—The provisions of this convention do not apply to:

(a) Tariff concessions accorded by either country to bordering States only to facilitate traffic within a limited frontier zone. (Art. VI.)

(b) Treatment accorded to products of the national fishing industry of either country. (Ibid.)

(c) Special tariff favors conceded by Japan with regard to fish and other aquatic products taken in territorial waters of a neighboring nation. (Ibid.)

V. Territorial application.—The provisions of this convention apply also to countries and territories belonging to the customs territory of either party. (Art. V.)

Treaty with Liberia.**No. 322.***Treaty of friendship, commerce, and navigation between the North German Confederacy and Liberia.*

SIGNED 31 Oct., 1867, at Hamburg. Effective from 1 July, 1868, for 12 years, and thereafter until terminated by 12 months' notice from either party. (Art. VIII.)

TEXT: German, Hdv. 1906:399-403; English (transl.), B. F. S. P. 59: 904-7.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting all rights and privileges of any kind (Art. II), with special reference to any favor, preference, or immunity which either country may grant to subjects of any other State in matters of commerce or navigation (Art. VI).

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Right of subjects of either country to reside and carry on trade in all parts of the other where foreigners may be admitted. (Art. II.)

(b) Duties imposed by either country on merchandise imported from the other in vessels of any nationality, or imported in ships of the other from any country. (Art. IV.)

(c) All favors or privileges concerning exportation of products of either country by subjects or in ships of the other. (Art. IV.)

II. National treatment is reciprocally pledged with regard to:

(a) Exercise of commerce in either country by subjects of the other, without limitation or restriction by reason of monopolies, contracts, or other exclusive privileges of purchase or sale. (Art. II.)

(b) All tonnage, import, or other dues, taxes, or tolls levied by either country on ships of the other and on merchandise imported or exported therein. (Art. III.)

III. Other provisions.

(a) Full protection assured to subjects of either country in the other as regards their persons and property. (Art. II.)

(b) Each country undertakes not to prohibit merchandise imported from the other in any vessels or imported in ships of the other from any country. (Art. IV.)

(c) Reciprocal protection against pillage of vessels of either country wrecked on coasts of the other. (Art. V.)

(d) Right of either country to appoint consuls in the other for protection of commerce. (Art. VII.)

(e) Any member State of the Germanic customs union may accede to this treaty at any time in manner stated. (Art. IX.)

Treaty with Mexico.**No. 323.***Treaty of friendship, commerce, and navigation between Germany and Mexico.*

SIGNED 5 Dec., 1882. at Mexico. Effective from 26 July, 1883, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XXIII.)

TEXT: German, Hdv. 1906:483-91; Spanish, Mexico Tr. Vig. 1:5-7; English (transl.), B. F. S. P. 73:709-16.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all rights and privileges which either country may grant to any other nation in all that concerns commerce, navigation, and consular jurisdiction. (Art. XXII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Free and secure access with ships and cargoes to all places, ports, and rivers open to foreigners in either country. (Art. II.)

(b) Right to reside in any part of either country, and to occupy and hire houses and warehouses for commerce, by wholesale or retail, and all rights, privileges, and immunities relating thereto. (Art. II.)

(c) Admission of warships of either country to all places, ports, and rivers of the other where foreign warships may enter, and treatment to which they are entitled. (Art. III.)

(d) Any duties or formalities imposed on merchant vessels of either country loading or unloading foreign cargo at different ports of the other on the same voyage, but coasting trade is expressly excepted. (Art. IV.)

(e) Any concessions or privileges which either country may grant in respect to its coasting trade, on condition of reciprocity. (Art. IV.)

(f) All general or local duties or imposts of any kind levied on behalf of public functionaries of either country on ships of the other; with special reference to duties for tonnage, harbor, pilotage, light-house, quarantine, and salvage. (Art. V.)

(g) All facilities accorded to steamships of either country performing periodical voyages between the two countries. (Art. VI.)

(h) Jurisdictional limit of territorial waters to be applied by either country to ships of the other, for purposes named under III c below. (Art. VIII.)

(i) Right to import any articles of commerce into either country in ships of the other which may be imported in foreign vessels, from whatever place arriving, and payment of duties relating thereto. (Art. IX.)

(j) Duties on importation, reexportation, or transit which either country may impose on products of the other. (Art. X.)

(k) Any duties imposed by either country on exportation of any articles of commerce to the other. (Art. X.)

(l) Any prohibitions imposed by either country to the prejudice of the other in respect of importation, exportation, or transit. (Art. X.)

(m) All rights and guarantees granted by either country respecting persons, property, trade, business, or religion. (Art. XIII.)

(n) All privileges, exemptions, and immunities which either country may grant to diplomatic agents. (Art. XVIII.)

(o) Appointment of consular officers, and all privileges, rights, and immunities granted to them in either country. (Art. XIX.)

II. National treatment is reciprocally pledged with regard to:

(a) Assistance and protection to vessels of either country stranded or shipwrecked within the jurisdiction of the other. (Art. XII.)

(b) All privileges and obligations concerning free access to courts of justice in either country. (Art. XIII.)

(c) All duties, imposts, or contributions of any kind payable by citizens of either country in the other, including any charges, requisitions, or contributions imposed on real property for a foreign war. (Art. XIV.)

(d) Acquisition, possession, and disposal of, or succession to, movable property in either country, by will or otherwise, and all rights, privileges, obligations, conditions, duties, and imposts relating thereto. (Art. XV.)

(e) Right of citizens of either country to dispose of their property in the other, by will or otherwise. (Art. XV.)

III. Other provisions.

(a) Tonnage dues shall be calculated on the registered burden of vessels. (Art. IV.)

(b) Citizens of either country are subject to the laws and regulations of the other in all that relates to police of ports, loading and unloading of vessels, and custody of goods and effects. (Art. VIII.)

(c) Limit of maritime jurisdiction of either country (for coast-guard and customhouse service, and prevention of smuggling) to be 3 sea leagues from low-water mark. (Art. VIII.)

(d) Assistance and protection to citizens and vessels of either country seeking refuge in ports or territories of the other from damage or shipwreck. (Art. XI.)

(e) Merchandise salvaged from vessels of either country is exempt in the other from all duties or charges of any kind, unless entered for consumption in the country. (Art. XII.)

(f) Citizens of either country are exempt in the other from all personal military service by land or sea; from all contributions in sub-

stitution therefor; from forced loans, and from charges, requisitions, and contributions for a foreign war; unless imposed on real property. (Art. XIV.)

(g) Citizens of either country inheriting real property in the other, if unable to own it as foreigners, have three years to dispose of the same. (Art. XV.)

(h) In case of hostilities between the two countries, citizens of either country residing in the other may remain and continue their trade or occupation so long as they behave peaceably and observe the laws, and shall continue to enjoy the rights and privileges stipulated in Articles XIII to XV of this treaty (noted above under I m, II b-e, and III f-g). Their goods, property, and effects shall be free from seizure, embargo, or confiscation. (Art. XVI.)

(i) Diplomatic representatives not to interfere officially in matters within jurisdiction of the courts, except for denial of justice, manifest violation of treaties, or of rules of international law. (Art. XVIII.)

(j) The Mexican Government not to be responsible for losses, damages, or exactions suffered by Germans in Mexico during insurrection or civil war, or from tribes of Indians not under the control of the Government. (Art. XVIII.)

(k) Provisions concerning functions, privileges, and obligations of consular officers (Art. XX), with special reference to recovery of seamen deserters (Art. XXI).

IV. Exceptions.—The coasting trade of either country is reserved for its national vessels. (Art. IV.)

Treaty with Montenegro.

No. 324.

Convention of commerce and navigation between Germany and Montenegro.

SIGNED 18 June, 1907, at Cetinje. Effective from 11 Mar., 1908, until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. II.)

TEXT: German, Hdv. 1915: 73-4; French, B. F. S. P. 101: 338-9.

Most-favored-nation treatment is reciprocally pledged in general terms to the subjects and products of either country in all matters concerning commerce and navigation, and establishment of nationals of either country in the other, with special reference to importation, exportation, transit, customs duties, commercial operations, exercise of commerce and industry, and payment of taxes relating to any of these. (Art. I.)

Treaty with the Netherlands.

No. 325.

Treaty of commerce and navigation between the German customs union and the Netherlands and protocol amending the same.

SIGNED 31 Dec., 1851. Duration indefinite. Terminable on 12 months' notice from either party. (Art. XXXV.)

TEXT: German, Hdv. 1906: 503-24; French, B. F. S. P. 40: 1109-28.

I. Most-favored-nation treatment is pledged as follows:

(a) Reciprocal and unconditional most-favored-nation treatment, as regards duties payable in Germany on products of Dutch fisheries and products of Dutch colonies; and duties payable in the Netherlands or its colonies on any products of Germany, from whatever place and by whatever route arriving, by land, sea, or interior waterways, except special favors which may be accorded in Dutch colonies to Asiatic countries regarding importation of their products or their exportations. (Arts. XXVII-XXIX, XXXII and protocol.)

(b) Reciprocal but conditional most-favored-nation treatment, as regards any favors in matters of commerce or customs which either country may accord thereafter to any other States, except favors which Germany may grant to Austria or Switzerland. (Art. XXXIII and protocol.)

(c) German citizens to enjoy in Dutch colonies all favors which may be accorded to subjects of any other European State. (Art. XXX.)

II. National treatment is reciprocally pledged in regard to all privileges, immunities, or favors in matters of commerce or industry, including duties, taxes, or other imposts relating thereto, and protection of persons and property. (Art. XXIV.)

National treatment is further reciprocally pledged with regard to:

(a) Treatment of vessels of either country in all navigable waters of the other, whether maritime or fluvial, natural or artificial, including canals, channels, etc., in all matters noted below under II b-f. (Art. X.)

(b) All duties or charges of every description levied by either country on ships of the other, from whatever place arriving and whatever their destination, no matter by whom or how levied, with special reference to dues for tonnage, pilotage, quarantine, salvage, warehousing, etc. (Arts. I and XXII.)

(c) Any objects of commerce which may legally be imported into or exported from either country in its own vessels, may likewise be imported or exported in ships of the other, whatever the place of origin or destination of the cargoes, and whether destined for consumption, transit, reexportation, or storage; all on the same conditions and subject to the same duties, dues, exemptions, drawbacks,

and other favors or advantages as when carried in national vessels, except special favors accorded by either country to its vessels employed in the national fisheries. (Arts. II-IV.)

(d) All privileges or favors granted by either country in regard to stationing, loading, or unloading of vessels, including all formalities and arrangements affecting merchant vessels and their crews or cargoes. (Art V.)

(e) Treatment of each other's vessels seeking refuge from damage or shipwreck. (Arts. VII, VIII.)

(f) No priority or preference to be granted by either country, directly or indirectly, nor by any person acting under its authority, respecting purchase of articles imported in its own vessels. (Art. IX.)

National treatment is also assured to German vessels and their cargoes in regard to:

(g) The maritime coasting trade of the Netherlands. (Art XI and protocol.)

(h) Treatment of German vessels and their cargoes in Dutch colonies in regard to various matters specified, from whatever place arriving and whatever their destination; except the colonial coasting trade, which is reserved for Dutch vessels. (Art. XXXI.)

III. Other provisions.

(a) Extensive stipulations regarding exemptions and restrictions of duties and other charges on shipping between the two countries, under conditions specified in detail. (Arts. XIV-XXI.)

(b) Detailed stipulations regarding transit of merchandise. (Arts. XXV, XXVI.)

(c) Schedule of duties payable on importation of German products into Dutch East Indian colonies, when shipped in manner specified direct from Netherland ports. (Art. XXXII and protocol.)

Treaty with Paraguay.

No. 326.

Treaty between Germany and Paraguay for reciprocal concession of most-favored-nation treatment.

SIGNED 21 July, 1887, at Asuncion. Effective from 8 May, 1888, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. IV.)

TEXT: German, Hdv. 1906:788; Spanish, Paraguay Tr. 1890:89-91; English (transl.), B. F. S. P. 78:771-3.

I. Most-favored-nation treatment is reciprocally pledged in general terms to the representatives, agents, officials, subjects, and citizens of either country in the other respecting all rights, privileges, benefits, immunities, and exemptions concerning their functions,

persons, or property which either party may concede to the representatives, agents, officials, subjects, or citizens of any other nation in all that relates to trade, industry, and navigation, and in any other matter (Art. II); except the special privileges of free trade reserved by Article XIII of the treaty of 7 June, 1883,¹³³ between Paraguay and Brazil in favor of the Province Matto-Grosso (Protocol annexed).

II. Other provisions.—Consular officers may celebrate marriages between their nationals in conformity with laws of their country; but not when one of the parties is a subject or citizen of the country where the consul resides. (Art. III.)

Treaty with Persia.

No. 327.

Treaty of friendship, commerce, and navigation between Germany and Persia.

SIGNED 11 June, 1873, at St. Petersburg. Duration indefinite; subject to termination on 12 months' notice by either party. (Art. XIX.)

TEXT: German, Hdv. 1906; 788-96; French, B. F. S. P. 63: 45-52.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all rights, privileges, immunities, and exemptions in matters of commerce and navigation. (Art. IV.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Reception and treatment by either country of envoys and diplomatic agents from the other, and all honors, prerogatives, and immunities relating thereto. (Art. II.)

(b) All honors and privileges granted by either country to consular officers. (Art. III.)

(c) Reception and treatment of subjects of either country traveling or doing business in the other, and their right to import, export, or transport merchandise to or from either country by land or sea and to exercise commerce throughout either country, subject to the laws and regulations in force. (Art. VI.)

(d) Right of subjects of either country to hire houses, stores, and shops in the other and all imposts relating thereto. (Art. VI.)

(e) Conditional right of German subjects to acquire and possess lands, houses, shops, and other immovable property in Persia in case this right is accorded by Persia to subjects of any foreign nation. (Art. VI.)

(f) Customs duties and taxes payable in either country by subjects of the other on importation or exportation of merchandise. (Art. VII.)

¹³³ English, B. F. S. P. 74: 937.

(g) Treatment of merchant vessels of either country in ports, bays, roadsteads, and rivers open to maritime commerce in the other, whether engaged in importation, exportation, or any other operations of lawful commerce (Art. VIII), with special reference to payment of dues or charges for tonnage, lighthouse, pilotage, quarantine, or other dues or charges under whatever name, whether levied for the Crown, for cities, or private establishments of any kind (Art. IX).

(h) Assistance, protection, and other privileges accorded to vessels of either country wrecked on coasts of the other. (Art. X.)

(i) Treatment of German subjects in Persian localities where there is no German diplomatic or consular agent, with reference to domiciliary visits or search of premises by Persian officials. (Art. XI.)

(j) Treatment of Persian subjects in Germany with reference to matters involving negotiable instruments or commercial contracts. (Art. XII.)

(k) Right of Persian representatives, consuls, and agents to intervene before German authorities on behalf of their nationals for protection of their rights and interests in Germany (Art. XIII), and on behalf of their bankrupt nationals in Germany under conditions stated (Art. XIV).

(l) Judicial process to be applied in either country to subjects of the other involved in matters of criminal jurisdiction. (Art. XVI.)

II. National or most-favored-nation treatment (optional) is pledged to Persian subjects in Germany with regard to protection of their rights and interests by German laws and tribunals. (Art. XIII.)

III. Other provisions.

(a) Right of either country to appoint three consuls in the other at places named; German consular agents engaging in commercial affairs are subject in Persia, as regards their commerce, to the same laws and customs as German subjects. (Art. III.)

(b) Right of subjects of either country to travel in and through the other, with special reference to safe conducts and other protection to be given by local authorities in either country. (Art. V.)

(c) Persian officials may not enter by force into houses, stores, and shops of German subjects, nor make any domiciliary search except in the presence of representatives of the German diplomatic agent or consul. (Art. XI.)

(d) Detailed provisions concerning shipwrecks (Art. X) and official endorsements of commercial contracts. (Art. XII.)

(e) Disputes arising in Persia between German subjects shall be settled by German officials, in accordance with German laws, without interference from local authorities; disputes between Germans

and subjects of other foreign nations shall be judged exclusively by their respective agents or consuls; disputes between German and Persian subjects shall be judged by Persian tribunals in the presence of German officials in the manner described. (Art. XIII.)

(f) Consular administration in either country of estates of their deceased nationals. (Art. XV.)

(g) Detailed provisions relating to bankruptcy (Art. XIV), naturalization (Art. XVII), and reciprocal friendship in case either country is at war with any third power. (Art. XVIII.)

IV. Territorial application.—The provisions of this treaty apply also to Luxemburg so long as it is included within the German customs system. (Art. XX.)

Treaty with Portugal.

No. 328.

Treaty of commerce and navigation between Germany and Portugal.

SIGNED 30 Nov., 1908, at Oporto. Ratification exchanged 21 May, 1910. Effective from 4 June, 1910, for five years, and thereafter until terminated by 12 months' notice from either party (Art. XXV), or on six months' notice under conditions stated (Protocol, Art. II; exchange of notes, attached).

TEXT: German, Hdv. 1915: 77-115; French, B. F. S. P. 101: 924-36.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) in all matters concerning importation and import duties, exportation and export duties, reexportation and reexport duties, customs formalities, warehousing, transshipment of merchandise, drawbacks, exercise of commerce, and navigation in general. (Art. IV and final protocol.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Germany's treatment of products of Portuguese colonies re-exported from Portugal (to be the same as accorded to products of Portugal) on condition that most-favored-nation treatment is accorded to German commerce in Portuguese colonies. (Art. XI and final protocol.)

(b) Any prohibitions which either country may impose against importation, exportation, or transit (Art. XII and notes 3 and 4) as noted below under IV f.

(c) Any advantages relating to stationing, loading, and unloading of vessels in ports, basins, docks, roadsteads, or rivers, which either country may grant to vessels and their cargoes of any other nation, from whatever place arriving, and whatever the origin or destination of the cargoes, with special reference to dues for tonnage, port, pilotage, lighthouse, quarantine, and similar dues under whatever name. (Art. XVI.)

(*d*) Treatment of merchandise imported into either country in ships of the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of import duties and taxes for warehousing, supervision, or other customs services. (Art. XVIII.)

(*e*) Right of either country to appoint consular officers in the other and all privileges accorded to them by either party. (Art. XX.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to the quartering of troops and other military requisitions, contributions, or charges incumbent on possession of landed property in either country. (Art. II.)

III. National treatment is reciprocally pledged with regard to:

(*a*) All privileges, immunities, and other favors of any kind in matters of commerce and industry in either country and payment of taxes, imposts, or fees relating thereto. (Art. I.)

(*b*) All duties, charges, or imposts payable by subjects of either country on withdrawal of their property or effects from the other. (Art. III.)

(*c*) Excise, octroi, or consumption duties, whether levied by the State or by communes in either country. These must not bear more heavily on imported products of the other country than on similar national products. (Art. IX.)

(*d*) All favors and immunities accorded by laws of either country to stranded or shipwrecked vessels and their cargoes, with special reference to payment of salvage expenses. (Art. XXII.)

IV. Other provisions.

(*a*) Citizens of either country are exempt in the other from all military service by land or sea and from forced loans and all military charges, requisitions, and contributions of any kind, except charges incumbent on landed property, as noted under II above. (Art. II.)

(*b*) Properties, vessels, cargoes, merchandise, and effects belonging to subjects of either country are exempt in the other from sequestration or detention for any public use unless just indemnification is allowed in advance. (Art. II.)

(*c*) Products of Germany imported direct (as defined) into Portugal pay duties provided in the Portuguese tariff, except articles enumerated in Table A annexed to this treaty. (Arts. V-VII and final protocol.)

(*d*) Detailed provisions defining "direct" importation (Arts. VI-VII) and concerning certificates of origin (Art. VIII).

(*e*) Merchandise of any kind passing to or from either country are exempt in the other from all transit duty. (Art. X.)

(*f*) Neither country to obstruct commerce with the other by prohibitions against importation, exportation, or transit, except for the following reasons applying to all countries under similar conditions:

(1) Provisions of war in exceptional circumstances.

(2) Considerations of public safety.

(3) Measures of sanitary police or to protect animals and useful plants from disease, insects, or noxious parasites.

(4) Application to foreign merchandise of prohibitions or restrictions imposed by internal laws on production, sale, or domestic distribution of similar articles of national production. (Art. XII and notes 3 and 4.)

(*g*) Exemption of commercial travelers' samples from import and export duties in either country, subject to customs regulations relating thereto. (Art. XIII.)

(*h*) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise. (Art. XIV.)

(*i*) Stock companies and other commercial, industrial, or financial associations duly constituted in either country are authorized to exercise their rights in the other, with special reference to actions in courts of justice. (Art. XV and final protocol.)

(*j*) Vessels of either country may load or discharge foreign cargo at different ports of the other on the same voyage, but coasting trade is excepted. (Art. XVII.)

(*k*) Detailed provisions concerning consular duties and privileges with regard to recovery of seamen deserters (Art. XXI) and stranded or shipwrecked vessels (Art. XXII).

(*l*) In case of stranded or shipwrecked vessels, salvaged merchandise is exempt from customs duties, unless cleared for internal consumption. (Art. XXII.)

(*m*) Arbitration of disputes concerning interpretation or application of conventional tariffs, or concerning application of most-favored-nation pledges in conventional tariffs, and statement in detail of procedure relating thereto. (Art. XXIV.)

(*n*) Port and Madeira wines produced in regions named and accompanied by Portuguese certificates of origin and of purity shall be entitled to the same customs treatment in Germany as Marsala wine; also to any favors accorded to sherry or Malaga wines. (Final protocol, Art. III.) Other wines falsely labeled "Port" or "Madeira" shall be subject to provisions of German laws against false imitations. (Ibid., Art. IV.)

(o) Germany agrees to admit Portuguese wines and olive oils under the same customs treatment and facilities assured to Italian wines and olive oils by the Additional Treaty of 3 Dec., 1904,¹³⁴ between Germany and Italy, and to Austro-Hungarian wines by the Additional Treaty of 25 Jan., 1905,¹³⁵ between Germany and Austria-Hungary. ((Ibid., Art. V.)

(Ibid., Art. V.)

(p) Portugal undertakes not to submit beet sugar to any different treatment from that accorded to cane sugar. (Ibid., VI.)

V. Exceptions.

(a) The provisions of this treaty do not apply to the coasting trade of either country, which on the part of Portugal is defined as including:

(1) Traffic between ports of the same coast, whether in continental Europe, adjacent islands, or provinces beyond the seas. (Art. XVII.)

(2) Maritime traffic between Portugal and the Azores or Madeira. (Ibid., a.)

(3) Maritime traffic between Portugal or these adjacent islands and Portuguese overseas possessions west of the Cape of Good Hope. (Ibid., b.)

(4) Maritime traffic between the ports of said islands and possessions. (Ibid., c.)

(b) The provisions of Articles IV and V (noted under I and IV c above) do not apply to:

(1) Favors which Portugal may accord exclusively to Brazil (Art. XIX, 1), or to Spain and Brazil (Final protocol).

(2) Favors which either country may accord to bordering States to facilitate traffic in frontier zones within 15 kilometers of the boundary line. (Art. XIX, 2.)

(3) Obligations imposed on either country in virtue of a customs union. (Ibid., 3.)

(4) Agreement of 18 Dec., 1901,¹³⁶ between Great Britain and Portugal concerning relations between South Africa and Mozambique (Art. IV.)

VI. Territorial application.—This treaty applies to all countries or territories which may be united with either party in a customs union, and applies on the part of Portugal to its adjacent islands: Madeira, Porto Santo, and the Azores. (Art. XXIII.)

¹³⁴ German and Italian, Martens 84:605-25.

¹³⁵ English, B. F. S. P. 98:386-97.

¹³⁶ English, B. F. S. P. 95:931-4.

Treaty with Rumania.

No. 329.

Treaty of commerce, customs, and navigation between Germany and Rumania and treaty additional thereto.

SIGNED 21 Oct., 1893, and 8 Oct., 1904,¹³⁷ respectively. Effective (as amended by addl. tr.) from 1 Mar., 1906, until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Addl. tr.,¹³⁷ Art. IV.)

TEXT: German, Hdv. 1906: 797-835; French, B. F. S. P. 87: 977-1024.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any favor, privilege, immunity, or tariff reduction on imports or exports which either country may accord to any third power, with special reference to payment of duties on importation and exportation, and matters relating to transit, reexportation, warehousing, local dues, and customs formalities. (Art. VI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment of citizens of either country exercising the following professions in the other: Druggists, brokers, peddlers, and other itinerant tradesmen. (Art. I.)

(b) All rights concerning acquisition, possession, or alienation of real or personal property of any kind in either country. (Art. II.)

(c) Application of specified exceptional prohibitions which either country may impose against importation, exportation, or transit (Art. V); as noted below under IV c.

(d) Treatment of products of either country imported into the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of duties. (Art. VII and final protocol.)

(e) Any favor accorded by either country with regard to exportation; with special reference to export duties imposed by either country on exportation of any objects to the other. (Art. VIII.)

(f) Any favor which either country may concede with regard to rights and privileges of commercial, industrial, or financial companies, on condition of reciprocity. (Exchange of notes of 15/16 Oct., 1893.^{137a})

II. National or most-favored-nation treatment (optional) is reciprocally and unconditionally pledged with regard to:

(a) Treatment by either country of merchandise, vessels, and their cargoes of the other, in all respects, from whatever place arriving and whatever the origin or destination of the cargoes; with special reference to taxes and remuneratory dues levied in ports, basins,

¹³⁷ German, Hdv. 1906: 797-836; French, B. F. S. P. 97: 1013-35.

^{137a} French, B. F. S. P. 87: 1024-5.

docks, roadsteads, and harbors of either country; except special advantages which either country may accord to its national fisheries. (Arts. XIII, XVIII, and final protocol.)

(b) Internal duties levied in either country on production or consumption, whether imposed by the State or by communes or corporations. Such duties must not bear more heavily on imported products of the other country than on similar articles of domestic or other foreign production. (Art. XII; addl. tr.,¹³⁷ Art. I, 4.)

III. National treatment is reciprocally pledged with regard to:

(a) All privileges, immunities, and other favors in matters of commerce and industry; with special reference to duties, taxes, imposts, or fees of any kind payable by subjects of either country on their commerce or industry in the other; subject to exceptions noted below under V *a*, and subject to the laws and special regulations applicable to all foreigners in matters of police and public safety. (Art. I and final protocol.)

(b) Payment of taxes, imposts, or charges of whatever kind relating to acquisition, possession, and disposal of, or succession to, property in either country; including duties on export of proceeds of property sold. (Art. II.)

(c) Treatment of citizens of either country proceeding to fairs or markets in the other, to exercise their commerce or sell their products; with reference to payment of taxes relating thereto. (Art. III.)

(d) Any dues payable by vessels of either country in ports of the other on cargo not discharged at that port. (Art. XV.)

(e) All favors and immunities granted by laws of either country to stranded or shipwrecked vessels and their cargoes, with special reference to payment of salvage expenses. (Art. XVII.)

IV. Other provisions.

(a) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise, and must be provided with a legitimization certificate in the form prescribed. (Art. III.)

(b) Subjects of either country are exempt in the other from all military service and contributions, and from all extraordinary requisitions occasioned by exceptional circumstances, except charges and requisitions incumbent on possession of landed property to which all native citizens are subject. (Art. IV, final protocol, and addl. tr.,¹³⁷ Art. II, 1.)

(c) Neither country to obstruct its commerce with the other by prohibitions against importation, exportation, or transit, except for the following reasons applying to all other countries under the same conditions:

¹³⁷ German, Hdv. 1906 : 797-836 ; French, B. F. S. P. 97 : 1013-35.

- (1) Provisions of war in exceptional circumstances.
- (2) Considerations of public security.
- (3) Sanitary measures, or to protect animals and useful plants from diseases, noxious insects, and parasites.
- (4) Application to imported merchandise of internal laws prohibiting or restricting domestic production, sale, or transportation of similar articles of national production. (Addl. tr.,¹³⁷ Art. I, 1.)
- (d) Products of either country enumerated in tariffs B and C annexed to the additional treaty, when imported into the other, shall not pay other or higher duties than those specified in these tariffs. (Art. VII; addl. tr.,¹³⁷ Art. I, 3.)
- (e) Merchandise of any kind passing to or from either country is exempt in the other from all transit duties, whether going straight through, or unloaded, stored, and reloaded. (Art. IX.)
- (f) Certain specified articles are exempt from import and export duties in either country, under conditions stated. (Art. XI.)
- (g) Products of either country are exempt in the other from all internal duties when imported for warehousing or transit. (Art. XII.)
- (h) Arbitration of disputes concerning interpretation or application of tariffs B and C annexed to this additional treaty, or concerning conventional tariff rates of either party with third States; the court of arbitration to be constituted as described. (Art. XII *a*; addl. tr.,¹³⁷ Arts. I, 5, and II, 4.)
- (i) Exemption of vessels from all tonnage and clearance duties in either country, under conditions stated. (Art. XVI.)
- (j) Merchandise salvaged in either country from ships of the other is exempt from all customs duties, unless released for domestic consumption. (Art. XVII.)
- (k) Decisions concerning application of the customs tariff or interpretation of its provisions previously rendered by competent authorities of last resort in either country shall not be deemed to bar an appeal for a new decision under conditions stated. (Addl. tr.,¹³⁷ Art. II, 3.)

V. Exceptions and explanations.

- (a) The national treatment provisions of Article I (noted under III *a* above) do not apply to:
 - (1) Druggists, brokers, peddlers, and other itinerant trades (Art. I); but most-favored-nation treatment is pledged with reference thereto, as noted under I *a* above.
 - (2) Right to acquire immovable property in Roumanian rural communes, or to sell drinks there. (Final protocol.)

¹³⁷ German, Hdv. 1906: 797-836; French, B. F. S. P. 97: 1013-35.

(3) Provisions of Rumanian law which regulate the establishment of foreigners in rural communes under special conditions. (Ibid.)

(4) The sale of tobacco in Rumania. (Exchange of notes 15/16 Oct., 1893.^{137a})

(b) The most-favored-nation provisions of Article VI (noted above under I) do not apply to:

(1) Favors which either country may accord to bordering States to facilitate traffic on the frontier zone within 15 kilometers of the boundary line. (Addl. tr.,¹³⁷ Art. I, 2.)

(2) Obligations which may be imposed on either country by a customs union. (Art. VI, 2.)

VI. Territorial application.—This treaty extends to all countries or territories which may be united with either country in a customs union. (Art. XIX.)

Treaties with Russia.

No. 330.

Treaty of commerce and navigation between Germany and Russia; and convention additional thereto.

SIGNED 10 Feb., 1894, and 28 July, 1904,¹³⁸ respectively, at Berlin. Effective as amended by additional convention from 1 Mar., 1906, until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. XX; addl. conv.,¹³⁸ Art. III.)

TEXT: German, Hdv. 1906: 836-911; English (transl.), B. F. S. P. 86: 442-83.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting all rights, privileges, immunities, favors, and exemptions which either country may accord to any third power in every respect, subject to special laws and regulations in matters of commerce, industry, or police applying to all foreigners in either country. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Acquisition, possession, and disposal of, or succession to, all kinds of movable or immovable property which the laws of the country permit foreigners to acquire or possess, by will or otherwise. (Art. II.)

(b) Rights which stock companies and other commercial, industrial, or financial associations of either country are permitted to exercise in the other, with special reference to actions in courts of justice. (Art. IV.)

(c) Treatment of products of either country on importation into the other, whether imported for consumption, warehousing, reexport-

¹³⁷ German, Hdv. 1906: 797-836; French, B. F. S. P. 97: 1013-35.

^{137a} French, B. F. S. P. 87: 1024-5.

tation, or transit, with special reference to duties, taxes, surtaxes, imposts, contributions, or prohibitions imposed in either country, and any favors, facilities, immunities, or reductions in import duties accorded by either country to any third power. (Addl. conv.¹³⁸ Art. VI.)

(d) Any duty which either country may impose on importation of products of the other corresponding to an internal tax or excise on similar national products. (Art. VII.)

(e) Any duties levied by either country on objects exported to the other, and any other favors relating to exportation. (Art. IX.)

(f) Treatment by either country of citizens of the other in matters concerning passports, except visa thereof. (Art. XII, final protocol.)

(g) Treatment in either country of merchants, manufacturers, and their commercial travelers from the other as regards passports and payment of taxes. (Art. XII.)

(h) Customs duties which Germany may levy on the Russian frontier. (Final protocol.)

(i) Exemption of subjects of Germany in Russia from guardianship of minors other than those of their own nationality. (Art. III, addl. conv.,¹³⁸ pt. 1, 3.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Quartering of troops and other exceptional military requisitions which either country may impose on citizens of the other. (Art. III.)

(b) Treatment by either country of vessels of the other and their cargoes, from whatever place arriving and whatever their destination, and whatever the place of origin or destination of the cargoes, except:

(1) Particular advantages which the national fisheries and their produce may enjoy in either country.

(2) Favors which either country may grant to its national merchant navy. (Art. XIII.)

(c) Dues payable by vessels of either country in ports of the other for light, pilotage, towing, quarantine, and similar dues for services rendered or equipment used. (Art. XVI.)

(d) Use of railways of either country by citizens of the other; with special reference to freight rates applied to merchandise of either country transported over railways of the other; except reduced rates allowed in the public interest or for charitable objects. (Art. XIX.)

III. National treatment is reciprocally pledged with regard to:

(a) All rights and imposts relating to exercise of commerce and industry in either country. (Art. I.)

¹³⁸ French, B. F. S. P. 97: 1040-50.

(b) All dues, taxes, or charges under whatever name relating to acquisition, possession, and disposal of or succession to property, by will or otherwise; including exportation of property or of proceeds if sold. (Art. II.)

(c) All rights and immunities regarding access to courts of justice, and employment of advocates or other agents therein. (Art. II.)

(d) Internal duties on production or consumption, whether levied for the State or for communes or corporations in either country. These must not under any pretext bear more heavily on imported products of the other country than on similar articles of native production. (Art. VIII.)

(e) Treatment of citizens of either country proceeding to fairs or markets in the other to follow their calling and sell their products; with special reference to payment of taxes. (Art. XII.)

(f) Any dues payable in ports of either country for guarding of cargo not discharged at that port. (Art. XVII.)

(g) Treatment of vessels of either country wrecked on coasts of the other, with special reference to any favors or immunities accorded by law in either country to shipwrecked vessels. Salvaged merchandise to be exempt from all customs duties, unless landed for consumption in the country. (Art. XVII.)

(h) Right of subjects of either country to use specified equipments and services in the other established for public use, such as highways, waterways, canals, locks, ferries, bridges, ports, landings, pilotage, cranes, weighbridges, warehouses, salvaging facilities, and other establishments intended for public service and commercial use, whether administered by the State or privately under State authority. No dues to be collected unless the equipment or service was actually used, except for pilotage and maritime lighthouse service. (Art. XVIII.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from obligation to accept judicial, administrative, or municipal office (except as noted under I *z* above), from all personal military service by land or sea, and from all forced military taxes, loans, requisitions, and services in kind imposed during war or in other extraordinary circumstances; except charges incumbent on possession of landed property, quartering of troops, or other special services for military purposes. (Art. III.)

(b) Neither country to obstruct its commerce with the other by prohibitions against importation, exportation, or transit, except for the following reasons (Art. V):

(1) Articles of State monopoly in either country. (Ibid.)

(2) Measures of hygiene, veterinary police, and of public safety. (Ibid., and addl. conv.,¹³⁸ pt. 1, 4.)

(3) Other considerations of great weight. (Art. V.)

(c) Products of either country enumerated in tariffs A and B annexed to the additional convention to pay on importation into the other no other or higher duties than those specified in these tariffs; except as noted under I *d* above. (Art. VII.)

(d) Exemption of merchandise of any kind from all transit duties in either country when passing by a commercial route open to transit, whether going straight through, or unloaded, stored, and reloaded. (Art. X.)

(e) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise and must be provided with a license card in the form prescribed. (Art. XII, addl. conv.,¹³⁸ pt. 1, 8.)

(f) Detailed provisions concerning duty-free admission by either country of commercial travelers' samples from the other, subject to customs regulations relating thereto. (Art. XII and addl. conv.,¹³⁸ Art. I, 5.)

(g) Nationality of vessels to be recognized according to ship's papers issued by competent authorities under laws of each country. (Art. XIV.)

(h) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage, but coasting trade is expressly excepted. (Arts. XIII and XV.)

(i) Vessels of either country are exempt in ports of the other from tonnage and clearance duties, under conditions stated (Art. XVI), except as noted under II *c* above.

(j) Merchandise salvaged in either country from ships of the other is exempt from all customs duties, unless released for domestic consumption. (Art. XVII.)

(k) Detailed provisions abolishing differential import duties at specified land or maritime frontiers, relating to transit, certificates of origin, and to river, railway, and border traffic between the two countries. (Final protocol, Pt. I.)

(l) Extensive and detailed provisions relating to passports (Addl. conv.,¹³⁸ pt. 1, 2); river traffic (Ibid., 9); and customs regulations (Final protocol, Pt. IV, and addl. conv.,¹³⁸ Art. I, 3.)

(m) Russia agrees to adopt as far as possible the suggestions of Germany annexed to the additional convention as regards tariffication of articles named. (Addl. conv.,¹³⁸ annex.)

V. Exceptions.

(a) Provisions of this treaty do not apply to:

¹³⁸ French, B. F. S. P. 97: 1040-50.

(1) Favors which either country may accord to bordering States to facilitate traffic in a frontier zone up to 15 kilometers wide. (Art. XI, 1.)

(2) Favors granted by Germany under the existing customs union to Luxemburg, and to the Austrian communes of Jungholz and Mittelberg. (Ibid., 2.)

(3) Favors respecting importation and exportation which Russia may accord to inhabitants of the Province of Archangel, or on the north and east coasts of Siberia. (Ibid., 3.) But imports from Germany into these territories are entitled to the benefit of all customs facilities granted to importations from any European or North American country. (Addl. conv.,¹³⁸ Art. I, 4.)

(4) The coasting trade, which is reserved for regulation by the laws of each country. (Art. XIII.)

(b) The provisions of Articles VI, IX, and X (noted under I *c* and *e* and IV *d* above) do not apply to special stipulations of the treaty of 8 May, 1838,¹³⁹ between Russia and Sweden and Norway, nor to stipulations respecting Russian commerce with Asiatic States and countries bordering on Russia. (Art. XI.)

VI. Territorial application.—The provisions of this treaty are applicable to Luxemburg, and to the Austrian communes of Jungholz and Mittelberg. (Art. XI, 2.)

No. 331.

Temporary agreement between Germany and the Russian socialist federative soviet republic.

SIGNED 6 May, 1921, at Berlin. Effective from date of signature. Terminable on three months' notice by either party. (Art. XVII.)

TEXT: English (transl.), Cur. Hist., XIV: 638–40.

I. Rights, privileges, and functions of public agents.

(a) The "German representation in Russia" and the "Representation of the Russian socialist federative soviet republic in Germany" shall have their seats in Moscow and Berlin, respectively, and shall have attached to them trade delegates for the superintendence of the economic relations between the two countries. The representation of the Russian socialist federative soviet republic in Germany is to be recognized as the only representation in Germany of the Russian State. (Art. I.)

(b) The heads of the representations shall enjoy the rights and privileges of heads of accredited missions. Detailed provisions concerning rights and privileges of persons employed by the representations who are not nationals of the State of sojourn, with special reference to searches of houses, apprehensions, and arrests, and immunity

¹³⁸ French, B. F. S. P. 97: 1040–50.

¹³⁹ See No. 440.

from military and war obligations and from all kinds of obligations of labor prescribed by public law. (Art. II.)

(c) Each country to assist the representation of the other in procuring suitable office rooms and living quarters and necessary materials for its use. (Art. III.)

(d) The German representation in Russia is authorized to import, free of customs and taxation, the materials necessary for the maintenance of its office business and for the furnishing of its quarters, also necessary food supplies and other articles for support of the German personnel up to 40 kilograms per month for each person. Import permits to be attested in the manner stated. (Art. IV.)

(e) The heads of the representations shall be accredited to the central authorities for foreign affairs of the State of sojourn. The representations shall deal directly with these authorities and in case of trade matters also with the other central authorities. (Art. V.)

(f) The representations shall receive the following consular powers:

(1) Protection of the interests of their nationals within the limits of international usage. (Art. VI, 1.)

(2) Issuance of passports, personal papers of identification, and visés. (Ibid., 2.)

(3) Reception, legalization, and attesting of documents. (Ibid., 3.)

The contracting parties undertake to enter immediately into negotiations for the conclusion of an agreement regarding the civil register and marriage contracts. (Art. VI.)

(g) Each representation has a right to the use of wireless stations and public postal facilities for the purpose of unhampered official communication with its Government and with the representatives of its Government in other countries, in open and ciphered language, and likewise to courier communication according to special agreement. (Art. VII.)

(h) The German representation in Russia, through its trade delegation, shall protect the economic interests of the German Commonwealth and its nationals. The Russian trade delegation in Germany shall, as a State trade office, be regarded as the legitimate representative of the Russian Government on German territory for the purpose of administration of justice. The latter recognizes as binding upon itself all legal transactions undertaken either by the chief of the representation, the chief of the trade delegation, or, finally, by any persons delegated by either of those two persons. (Art. XII.)

(i) The respective representations are authorized to engage the experts necessary for the accomplishment of their economic tasks. The requests for admission of experts, accompanied by full explanations, shall be presented by the central authorities to the repre-

sentation of the other State and shall be disposed of with special dispatch. (Art. XIV.)

(j) The respective representations and the persons employed by them shall limit their activities strictly to the tasks authorized by this agreement. Especially, they are obliged to refrain from all agitation or propaganda against the governmental system of the State of sojourn. (Art. XV.)

II. Rights and privileges of nationals of either country in the other.

(a) Provisions concerning war prisoners and interned civilians of either country in the other. (Art. VIII, 1-2.)

(b) Russian nationals in Germany will, as regards their persons and properties, be treated according to international law and to the general laws of Germany. (Ibid., 1.)

(c) To the German nationals who resort to the territory of the Russian soviet republic for trading purposes according to this agreement and in observance of the legal provisions regarding passports, the inviolability of all the articles taken with them shall be assured, as well as that of the property acquired in Russia through the Russian soviet republic, so far as the acquisition and use of the same are in accordance with the special agreements made with the competent organs of the Russian soviet republic. The inviolability of this property shall be secured by special bills of protection of the Russian soviet republic, so far as no claims against the possessor of the bill of protection can be established from legal contracts into which he has entered with the Russian soviet republic after the conclusion of this agreement. (Ibid., 3.)

(d) The Russian Government grants to the persons who possessed German citizenship, but have lost it, as well as to their wives and children, the permission to leave the country for the purpose of returning to Germany. (Art. IX.)

III. Other provisions.

(a) Ships of either country to be treated in ports and territorial waters of the other according to international usage. In case hereafter Russian ships in the merchant trade are granted any special privileges, as State-owned ships, in connection with shipping charges, the Russian Government assures the same privileges to German merchant vessels. In that case, however, a ship of one of the contracting parties in the harbors of the other party may be made accountable for such money claims as are immediately connected with this ship, such as harbor dues, cost of repairs, and claims for damages in case of collisions. (Art. X.)

(b) Both Governments shall immediately take all measures necessary to ensure the speedy resumption of the public postal, telegraphic, and wireless communication. (Art. XI.)

(c) The Russian Government undertakes to conclude with German nationals, German firms, and German juridical persons on the territory of the Russian socialist federative soviet republic and of the States connected with it through a State-adjusted import and export plan, only legal contracts containing clauses providing for arbitration. As regards legal contracts entered into in Germany and their economic results, the Russian Government submits to German law; as regards private obligations, however, it is subject to German jurisdiction and legal administration only in case of obligations arising from legal contracts entered into with German nationals, German firms, and German juridical persons after the conclusion of this agreement. The Russian Government retains unimpaired the right to introduce an arbitration clause into legal contracts concluded in Germany. (Art. XIII.)

(d) The property of the Russian Government in Germany shall enjoy the customary protection according to international law and shall not come under German jurisdiction and administration in any case not covered by III c above. (Art. XIII.)

(e) This agreement shall form the basis of the economic relations between the two countries. (Art. XVI.) In case it is denounced and not replaced by another agreement either party may institute a commission of five members for the completion of the trading transactions already under way, which must be disposed of within six months after expiration of this agreement. (Art. XVII.)

Treaty with the Serb-Croat-Slovene State.

No. 332.

Treaty of commerce and customs between Germany and Serbia as amended by additional treaty.

SIGNED 21 Aug., 1892. Additional treaty signed 29 Nov., 1904.¹⁴⁰ Effective (as revised by additional treaty) from 1 Mar., 1906, until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Add. tr.,¹⁴⁰ Art. III.)

TEXT: German, Hdv. 1906: 1100-33; B. F. S. P. 86: 577-627.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged with regard to:

(a) Rights which stock companies and other commercial, industrial, and financial associations of either country may exercise in the other. (Art. II and final protocol.)

(b) Any favors, privileges, and tariff reductions which either country may accord to any third power, with special reference to payment of import and export duties, accessory taxes, customs formalities, and excise or consumption duties of any kind, whether levied by the State or by corporations in either country. (Arts. VI, VII, and final protocol.)

¹⁴⁰ English (transl.), B. F. S. P. 97: 1005-13.

(c) Any local dues or surtaxes of any kind which either country may impose on products of the other. (Art. IX and final protocol.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in general terms respecting all rights, favors, and exemptions which either country may accord in matters of commerce, industry, and navigation. (Art. I.)

National or most-favored-nation treatment (optional) is further reciprocally pledged in regard to:

(a) Right of citizens of either country to reside and settle in any part of the other, and to acquire, possess, and dispose of or succeed to real and personal property of any kind, by will or otherwise. (Art. II.)

(b) Exercise of commerce, industry, and any lawful business in either country, personally or otherwise (Art. II and final protocol), except as noted under V *a* below.

(c) All duties, taxes, imposts, or dues relating to any of the matters noted under II *a-b* above. (Art. II.)

(d) All rights and immunities relating to administration of justice in either country. (Art. II.)

(e) Application to citizens of either country in the other of the laws and regulations relating to commerce, industry, and public security. (Art. II.)

(f) Quartering of troops and other exceptional military requisitions which either country may impose on citizens of the other. (Art. III.)

(g) Use of railways of either country by citizens of the other, with special reference to freight rates applied to merchandise of either country transported over railways of the other, except reduced rates granted for public or charitable objects. (Art. IX *b*.)

(h) Treatment by either country of vessels of the other and their cargoes, from whatever place arriving and whatever their destination, and whatever the place of origin or destination of the cargoes, except special favors granted by either country to products of its inland fisheries. (Art. IX *d*.)

(i) Treatment by either country of vessels and merchandise of the other, in all respects, with special reference to payment of remuneratory taxes or dues in ports, basins, docks, roadsteads, and harbors of either country. (Art. IX *i*.)

III. National treatment is reciprocally pledged with regard to:

(a) Any obligations, restrictions, or taxes which either country may impose on citizens of the other, as regards their persons or their real and personal property. (Art. III.)

(b) Treatment by either country of commercial travelers from the other, and treatment of citizens of either country proceeding to markets or fairs in the other to exercise their commerce and sell their produce. (Art. IV.)

(c) Internal duties levied in either country on production or consumption, whether imposed by the State, or by communes or corporations. Such duties must not bear more heavily on imported products of the other country than on similar articles of domestic production. (Art. IX *a* and final protocol.)

(d) Treatment of citizens of either country making use in the other of specified equipments and services established for public use; such as roads, canals, locks, ferries, bridges, weighbridges, ports, landings, signals, cranes, pilotage, warehouses, and facilities for salvaging vessels or cargoes, whether such services are administered by the State or by private parties, with special reference to conditions or taxes relating thereto. No tax to be collected unless the equipment or service was actually used, except for lighting and pilotage, which are subject to special regulations. (Art. IX *c*.)

(e) Any dues payable by vessels of either country in ports of the other on cargo not discharged at that port. (Art. IX *f*.)

(f) All favors and immunities granted by laws of either country to stranded or shipwrecked vessels and their cargoes, with special reference to payment of salvage expenses. (Art. IX *h*.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from all military requisitions or contributions, forced loans, and other charges occasioned by exigencies of war or other exceptional circumstances, and from obligation to accept judicial, administrative, or municipal office; except as noted under II *f* above. (Art. III and final protocol.)

(b) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise, and must be provided with a legitimization certificate in the form prescribed. (Art. IV and annex A.)

(c) Detailed provisions concerning duty-free admission by either country of commercial travelers' samples from the other, subject to customs regulations relating thereto. (Art. IV *a* and final protocol.)

(d) Neither country to obstruct its commerce with the other by prohibitions against importation, exportation, or transit, except for the following reasons:

- (1) Provisions of war in exceptional circumstances.
- (2) Considerations of public security.
- (3) Sanitary measures, or to protect animals and useful plants from disease, noxious insects, and parasites.
- (4) Application to imported merchandise of internal laws prohibiting or restricting domestic production, sale, or transportation of similar articles. (Art. V and final protocol.)
- (e) Products of either country enumerated in tariffs B and C annexed to this treaty, when imported into the other, shall be admitted

under the conditions fixed by these tariffs. (Art. VI and final protocol.)

(f) Certificates of origin may be required by either country, under conditions stated. (Art. VI.)

(g) Merchandise of any kind passing to or from either country is exempt in the other from all transit duties, whether going straight through or unloaded, stored, and reloaded. (Art. VII a.)

(h) Certain specified articles are exempt from all import and export duties in either country, under conditions stated. (Art. VIII.)

(i) Nationality of vessels to be recognized in accordance with ships' papers issued by the competent authorities under laws of each country. (Art. IX e.)

(j) Ships of either country are exempt from tonnage and clearance dues in the other, under conditions stated. (Art. IX g.)

(k) Merchandise salvaged in either country from ships of the other is exempt from all customs duties, unless released for domestic consumption. (Art. IX h.)

(l) Arbitration of disputes concerning interpretation or application of tariffs B and C annexed to this treaty, or concerning rates of conventional tariffs of either country, and statement of procedure relating thereto. (Art. IX k and final protocol.)

V. Exceptions.

(a) The provisions of Article II concerning exercise of trades and professions (noted under II b above) do not apply in either country to druggists, brokers, peddlers, and other itinerant tradesmen. (Final protocol.)

(b) The most-favored-nation principle of Articles VI and VII (noted under I b above) does not apply to:

(1) Favors accorded by either country to bordering States to facilitate frontier traffic within 15 kilometers of the boundary line.

(2) Obligations imposed on either country in virtue of a customs union. (Final protocol.)

VI. Territorial application.—This treaty applies to any countries or territories which may be united with Germany in a customs union. (Art. X.)

Treaty with Siam.

No. 333.

Treaty of friendship, commerce, and navigation between the German customs union, and Siam.

SIGNED 7 Feb., 1862, at Bangkok. Duration indefinite, subject to revision after 12 years on 12 months' notice from either party. (Art. XXIV.)

TEXT: English (authentic), B. F. S. P. 53:741-52; German, Hdv. 1906: 1135-46.

I. Most-favored-nation treatment is pledged in general terms to the contracting German States and their subjects respecting free and

equal participation in all privileges which Siam may grant to the Government, subjects, or citizens of any other nation. (Art. XXIII.)

Most-favored-nation treatment is further pledged with regard to:

(a) Freedom of commerce and navigation for subjects and vessels of either country in territories of the other. (Art. I.)

(b) All privileges, immunities, powers, and exemptions accorded by either country to consular officers. (Art. II.)

(c) Taxes which Siam may impose on landed property of German subjects. (Art. VIII.)

II. National and most-favored-nation treatment (optional) is pledged to German vessels and their cargoes respecting all privileges and immunities which Siam may grant to junks, and to Siamese or any other vessels (Art. XVIII), with special reference to participation in any benefits accruing from any reduction of duties on goods imported or exported in Siamese or other bottoms (Art. XXI).

III. Other provisions.

(a) Full security of persons and property of subjects of either country in the other. (Art. I.)

(b) Detailed provisions concerning functions and privileges of German consuls in Siam. (Art. II.)

(c) Right of German subjects in Siam to free exercise of their religion and right to build churches. (Art. III.)

(d) German subjects wishing to reside in Siam must be registered at the German consulate in the manner described. (Art. IV.)

(e) Right of German subjects to reside in Siam within boundaries named (and beyond these limits by special permission); also to trade freely and securely in all parts of Siam without interference from any monopoly or exclusive privilege of purchase or sale. (Art. V.)

(f) Right of German subjects to buy, sell, lease, or rent lands and plantations in Siam, and to rent, buy, or build houses within boundaries named and subject to conditions stated; also to engage in mining in any part of Siam and any kind of manufacturing not contrary to law. (Art. VIII.)

(g) Duties payable in Siam on merchandise imported in German vessels not to exceed 3 per cent ad valorem (Art. XIX), which shall not be increased. Upon payment of specified import and export duties, German subjects may freely import into or export from Siam to or from any foreign port every kind of merchandise except specified articles subject to restrictions named. (Art. XXI.)

(h) Detailed and extensive provisions relating to functions of German consuls (Arts. II, XXII); employment of Siamese subjects (Art. VI); passports (Art. VII); settlement of disputes between German and Siamese subjects (Arts. IX, X); piracy or robbery on shore (Art. XI); arrest of criminals, fugitives, sailors, etc. (Art. XII); bankruptcy (Art. XIII); recovery of debts (Art. XIV);

disposal of property left by subjects of either country dying in the other (Art. XV); and assistance to ships in distress (Art. XVII).

(i) General regulations for the conduct of German trade in Siam. (Annex.)

(j) Tariff schedules of import, export, and inland duties. (Annex.)

Treaty with Spain.

No. 334.

Exchange of notes between Germany and Spain concerning commercial relations.

SIGNED 12 Feb., 1899, at Madrid. Effective from 1 July, 1899, for five years, and thereafter until terminated by one year's notice from either party. Prolonged indefinitely by Spanish order of 30 June, 1907. (English, B. F. S. P. 101:610.)

TEXT: German, Hdv. 1906:1150-2; French and English, B. F. S. P. 101:609-10.

Most-favored-nation treatment is pledged by Germany respecting customs duties payable on importations from Spain, in exchange for Spain's concession of her conventional customs tariff on importation of German goods into Spain.

Treaties with Switzerland.

No. 335.

Treaty of commerce between Germany and Switzerland, and treaty additional thereto.

SIGNED 10 Dec., 1891, and 12 Nov., 1904,¹⁴¹ respectively. Effective (as modified by additional treaty) until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Addl. tr.,¹⁴¹ Art. V.)

TEXT: German, Hdv. 1906:971-1077; French (transl.), B. F. S. P. 83:548-88.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) in matters concerning importation, exportation, and transit; with special reference to any privilege, favor, or tariff reduction on importation or exportation which either country may accord to any third power. (Addl. tr.,¹⁴¹ Art. I, 1.)

II. National treatment is reciprocally pledged regarding internal taxes payable in either country on production or consumption of any of its products, whether levied by the State or by Cantons, Provinces, communes, or corporations. These taxes must not under any pretext bear more heavily on imported products of the other country than on similar national products, except articles of State monopoly and products containing alcohol (Art. VIII), as noted below under III f-g.

¹⁴¹ German, Hdv. 1906:971-1077; French, B. F. S. P. 97:1139-1251.

III. Other provisions.

(a) Neither country to obstruct its commerce with the other by prohibitions against importation, exportation, and transit; except for the following reasons:

(1) Provisions of war in exceptional circumstances.

(2) Considerations of public security.

(3) Sanitary measures, or to protect animals and useful plants from disease, noxious insects and parasites.

(4) Application to imported merchandise of internal laws prohibiting or restricting domestic production, sale, and transportation of similar articles. (Addl. tr.,¹⁴¹ Art. I, 1.)

(b) Products of either country enumerated in tariffs A and B annexed to the additional treaty when imported into the other shall be admitted under the conditions fixed by these tariffs. (Ibid., 2, and Art. IV, 4.)

(c) Merchandise of any kind passing to or from either country is exempt in the other from all transit duties. (Art. III.)

(d) Elaborate and detailed provisions respecting frontier traffic, specified articles being exempt from customs duties in either country, subject to observance of customs regulations relating thereto. (Art. V; addl. tr.,¹⁴¹ Art. I, 4.)

(e) Specified articles brought from either country into the other are reciprocally exempt from import and export duties, subject to conditions stated in detail. (Arts. V, VI; final protocol, Arts. II and V; and addl. tr.,¹⁴¹ Arts. I, 5, and IV, 2-7.)

(f) To protect State monopolies, additional import duties may be imposed on objects of State monopoly of either country, and on articles employed in their manufacture, even though similar native products are not subject to an additional tax. (Art. VIII.)

(g) Each country reserves the right to impose on products containing alcohol an additional import duty equal to its internal fiscal charge on the alcohol contained in the imported product. (Art. VIII and final protocol, Art. VIII, 2.)

(h) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise, and must be provided with a license card in the form prescribed. (Art. IX; addl. tr.,¹⁴¹ Art. I, 6; and Annex D.)

(i) Certificates of origin may be required by either country, under conditions stated. (Final protocol, Art. VII.)

(j) Arbitration of disputes concerning interpretation or application of tariffs A and B annexed to this treaty, or concerning rates of conventional tariffs of either country, and statement of procedure relating thereto. (Art. X a; addl. tr.,¹⁴¹ Arts. I, 7, and IV, 9.)

¹⁴¹ German, Hdv. 1906: 971-1077; French, B. F. S. P. 97: 1139-1251.

(*k*) Extensive and detailed provisions concerning frontier traffic. (Annex C, addl. tr.,¹⁴¹ Art. II.)

(*l*) Very extensive tariff schedules are annexed to the additional treaty. (Annexes A and B.)

IV. Exceptions.—Both parties reserve complete liberty of action as regards legislation concerning itinerant industries, peddling, and soliciting orders from persons not engaged in commerce or industry. (Addl. tr.,¹⁴¹ Art. I, 6.)

V. Territorial application.—This treaty applies to countries and territories which may be united with either party in a customs union. (Art. X.)

No. 336.

Convention between Germany and Switzerland concerning regulation of legal relations of citizens of either country in the other.

SIGNED 31 Oct., 1910, at Berne. Ratifications exchanged there 1 Aug., 1911. Effective from 1 Oct., 1911, for five years, and thereafter until terminated by 12 months' notice from either party. (Art. III.)

TEXT: German, Hdv. 1915: 216-17.

National treatment is reciprocally pledged to subjects of either country in the other respecting protection of persons and property, and exercise of commerce and industry of all kinds, with special reference to cultivation of agricultural lands; and with regard to payment of taxes, duties, imposts, or charges of any kind relating thereto.

Treaties with the United States of America.

Treaties of Germany with the United States have been previously dealt with in this volume under America, United States of, No. 22.

Treaty with Venezuela.

No. 337.

Treaty of commerce and navigation between Germany and Venezuela.

SIGNED 26 Jan., 1909, at Caracas. Ratifications exchanged there 28 Aug., 1909. Effective from 7 Sept., 1909, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. II.)

TEXT: German, Hdv. 1915: 230-1; Spanish, Venezuela Tr. Pub. 1910; 318-19; English (transl.), B. F. S. P. 102: 444-5.

Most-favored-nation treatment is reciprocally pledged in general terms with regard to all matters concerning commerce and navigation; with special reference to importation, exportation, and transit; also all matters relating to customs duties and commercial operations, exercise of commerce and industries, protection of persons and property, and payment of taxes relating to any of these. (Art. I.)

¹⁴¹ German, Hdv. 1906: 971-1077; French, B. F. S. P. 97: 1139-1251.

GREAT BRITAIN.

Treaties with America, United States of, to Venezuela.

Treaties of Great Britain have been previously dealt with in this volume under British Empire.

GREECE.

Treaties with America, United States of, to Germany.

Treaties of Greece with the following countries have been previously dealt with in this volume under :

America, United States of, No. 27.	Egypt (under British Empire), No. 205.
Austria, No. 63.	France, No. 287.
Austria-Hungary, No. 74.	Germany, Nos. 314 and 315.
Belgium, No. 103.	Great Britain (under British Empire), No. 164.
Bulgaria, No. 210.	
Denmark, No. 262.	

Treaty with the Principal Allied and Associated Powers.

No. 338.

*Treaty between Greece and the Principal Allied and Associated Powers.*¹⁴²

SIGNED¹⁴³ 10 Aug., 1920, at Sèvres. To come into force at the same time as the treaty finally regulating the status of Thrace,¹⁴² as provided in Article 48 of the treaty of peace with Bulgaria of 27 Nov., 1919.

TEXT: English, G. B. T. S. 1920, No. 13, Cmd. 960.

I. National and most-favored-nation treatment.—Pending conclusion (under auspices of the League of Nations) of general conventions on the matters named, Greece assures national and most-favored-nation treatment on condition of reciprocity (Art. 19¹⁴⁴) to all the Allied and Associated Powers, and to all States members of the League of Nations (Art. 20) in respect to:

(a) Treatment of vessels of all said powers and States which accord similar treatment to Greek vessels, except the maritime coasting trade, which Greece or any of said powers or States may confine to its national vessels. (Art. 18.)

(b) Freedom of transit for persons, goods, vessels, carriages, wagons, and mails in transit to or from any of said States over Greek territory, including territorial waters, with special reference

¹⁴² Not yet ratified.

¹⁴³ Signed by the following powers: British Empire, France, Italy, Japan, and Greece.

¹⁴⁴ This article is terminable after 5 years as noted below under III.

to facilities, charges, and restrictions and all other matters. (Art. 19.¹⁴⁴)

II. Other provisions.

Greece undertakes:

(a) To make no treaty, convention, or arrangement, and to take no other action which will prevent her from joining in any general convention for the equitable treatment of the commerce of other States which may be concluded under auspices of the League of Nations within 5 years. (Art. 17.)

(b) To extend to all the Allied and Associated Powers, and to States members of the League of Nations, any favors or privileges in customs matters which she may grant within 5 years to any States with which since Aug., 1914, said powers have been at war, or to any State having special customs arrangements with such States under Article 222 of the treaty of peace with Austria.¹⁴⁵ (Arts. 17 and 20.)

(c) That goods in transit through Greek territory, including territorial waters, shall be exempt from all customs or other duties; and that freedom of transit shall extend to postal, telegraphic, and telephonic services. (Art. 19.¹⁴⁴)

(d) To assure full and complete protection of life and liberty to all inhabitants of Greece, without distinction of birth, nationality, language, race, or religion (Art. 2), and that differences of religion, creed, or confession shall not prejudice any Greek national in matters relating to civil or political rights, as, for instance, admission to public employments, functions, and honors, or exercise of professions or industries (Art. 7).

(e) That the stipulations of this treaty, so far as they affect persons belonging to racial, religious, or linguistic minorities, constitute obligations of international concern, and shall be placed under the guaranty of the League of Nations, as described in detail. (Art. 16.)

(f) That all rights and privileges accorded by this treaty to the Allied and Associated Powers shall be accorded equally to all States members of the League of Nations. (Art. 20.)

III. Note.—If no general convention to secure and maintain freedom of communications and of transit is concluded under auspices of the League of Nations within 5 years, Greece may at any time thereafter terminate the provisions of Article 19 (noted under I, I b, and II b above) by 12 months' notice in manner stated. (Art. 19.)

¹⁴⁴ This article is terminable after 5 years, as noted below under III.

¹⁴⁵ See No. 63, IIa.

Treaty with Great Britain.

See No. 164.

Treaty with Italy.

No. 339.

Protocol for the regulation of commerce and navigation between Greece and Italy.

SIGNED 30 Dec., 1899, at Athens. Terminable on six months' notice by either party. (Art. V.)

TEXT: Greek and French, Greece Tr. 1912:534-7; French, B. F. S. P. 92:454; Italy Tr. 1911, I:527-8.

I. Most-favored-nation treatment is reciprocally pledged with respect to importations and exportations, except for Greek wines, as noted below under II b. (Art. III.)

II. Other provisions.

(a) Regulation of each country's fisheries (fish, sponges, and coral) is reserved for future negotiation. (Art. I.)

(b) Customs duties payable on Greek wines in casks on importation into Italy is increased from 5.77 to 12 lire plus surtaxes at the existing rate. (Art. II.)

(c) The status quo is continued on both sides in matters concerning navigation (including coasting trade), commerce in general, and customs régime. (Art. III.)

(d) The existing tariff is continued in Greece for sulphur (crude and refined) and in Italy for dried figs and raisins. (Art. IV.)

Treaty with Japan.

No. 340.

Treaty of friendship, commerce, and navigation between Greece and Japan.

SIGNED 1 June, 1899, at Athens. Effective from 21 Sept., 1899, for 12 years, and thereafter terminable on 12 months' notice from either party. (Art. 15.)

TEXT: English (authentic), B. F. S. P. 92:366-70; Martens 91:297-301; Japan Tr. 1918:270-5; English and Greek, Greece Tr. 1912:445-51.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in all respects, including all privileges, favors, or immunities concerning residence, travel, commerce, or navigation granted to the Government, ships, subjects, or citizens of any other State (Art. 4); except the coasting trade of both countries (Art. 8).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All rights, privileges, exemptions, or immunities regarding appointment and treatment of each other's diplomatic and consular agents. (Art. 2.)

(b) Free and secure entrance with ships and cargoes to all places, ports, and rivers open to foreigners in the territories and possessions of either country. (Art. 3.)

(e) Hiring and occupation of houses and warehouses and trading by wholesale or retail in all kinds of products and merchandise of lawful commerce. (Art. 3.)

(d) Acquisition, enjoyment, and disposal of property of all kinds. (Art. 3.)

(e) All duties or prohibitions imposed by either country on importation of products of the other. (Art. 5.)

(f) All duties or prohibitions imposed by either country on exportation of any article to the other. (Art. 5.)

(g) All matters relating to transit, warehousing, bounties, facilities, and drawbacks. (Art. 6.)

(h) All duties or charges for tonnage, light, port, pilotage, quarantine, salvage, and all similar dues or charges, no matter by whom or how levied in the ports of either country on ships of the other. (Art. 7.)

(i) All privileges, immunities, and exemptions regarding compulsory military service, military contributions or exactions, forced loans, and quartering of troops. (Art. 13.)

II. National treatment is reciprocally pledged in regard to:

(a) Treatment of each other's war ships or merchant vessels seeking refuge from damage or shipwreck, including all dues or expenses incidental thereto. (Art. 10.)

(b) Protection of persons and property of each other's citizens in either country, including access to courts of justice and employment of advocates or others therein. (Art. 13.)

(c) Exemption of dwellings and other premises from domiciliary visits or search, and of books, papers, or accounts from inspection or examination, except under conditions and with legal forms applying to citizens of the country. (Art. 14.)

III. Other provisions.—Freedom of conscience and of religious worship is reciprocally pledged to the subjects of either country in the territories and possessions of the other, subject to the laws and regulations in force. (Art. 12.)

Treaty with Montenegro.

No. 341.

Convention of commerce and navigation between Greece and Montenegro.

SIGNED 14 Mar., 1908, at Cetinje. Ratifications exchanged there May, 1909. Effective until 1 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. III.)

TEXT: Greek and French, Greece Tr. 1912:543-5; French, B. F. S. P. 101:1030-1.

I. Most-favored-nation treatment is reciprocally pledged in general terms by either party to the subjects and products of the other

with regard to establishment of each other's nationals, and matters of commerce and navigation; with special reference to importation, exportation, transit, and whatever concerns customs duties, commercial operations, exercise of commerce and industries, and payment of taxes relating thereto. (Art. I.)

II. Other provisions.—In case of disputes regarding character or description of wines and spirits of Greek production, Montenegrin customs officials are obliged to take note of certificates of analysis issued by certain Greek chemical laboratories named. (Art. II.)

Treaty with the Netherlands.

No. 342.

Treaty of commerce and navigation between Greece and the Netherlands.

SIGNED 22 Feb., 1843, at Athens. Duration indefinite. Terminable on 12 months' notice from either party. (Art. XXI.)

TEXT: Greek and French, Greece Tr. 1912:624-37; French, Lagemans 3:25-9; B. F. S. P. 32:1317-22; Dutch, Staatsbl. 1843, No. 34.

I. Most-favored-nation treatment is reciprocally but conditionally pledged respecting any favors, privileges, or exemptions in matters of commerce, customs, and navigation accorded by either country to subjects of any other State. (Art. X.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Products of Greece when imported into Netherland colonies and Greek vessels arriving in those colonies from whatever port shall enjoy all advantages and favors, and receive the same treatment accorded in those colonies to the products and vessels of any other European nation. (Art. IX.)

(b) Import duties or prohibitions established by either country against products of the other. (Art. XIV.)

(c) Duties or prohibitions imposed by either country against exports to the other. (Art. XIV.)

(d) Treatment by either country of consular officers from the other; including all rights, privileges, protection, and assistance required for convenient discharge of their duties. (Art. XVII.)

(e) Duties payable in Greece on products of Dutch colonies, and on products of Asia, America, Africa, and Australia imported from Netherland ports. (Addl. conv. 30 June, 1851,¹⁴⁶ Art. III.)

II. National treatment is reciprocally pledged in regard to:

(a) Complete security in either country for subjects of the other and their property; and all dues, taxes, or charges of any kind imposed in either country on subjects of the other, under whatever

¹⁴⁶ French, Lagemans 3:293-4; B. F. S. P. 40:1164-5; Dutch, Staatsbl. 1851, No. 122.

name; also all privileges, liberties, favors, exemptions, and immunities accorded to each other's subjects in matters of commerce, navigation, and industry. (Addl. conv. 30 June, 1851,¹⁴⁶ Art. II.)

(b) Dues for tonnage, port, pilotage, quarantine, warehousing and all other dues or charges of whatever kind levied in European ports of either country on ships of the other, from whatever place arriving, whether levied for the Government, public officials, communities, or establishments of any kind. (Arts. IV and XVI.)

(c) Import, export, and transit duties imposed on direct importations or exportations of any articles of whatever origin into or from European ports of either country in ships of the other; including all bounties, drawbacks, and other similar favors accorded to imports or exports in national ships (Arts. VI, VII); except special favors and exclusive privileges accorded in either country to the various branches of the fishing industry, and to commerce in salt (Art. VIII).

(d) Duties levied in either country on merchandise imported in ships of the other, pending its reexportation or release for consumption. (Art. XI, as amended by Art. II of addl. conv. 30 June, 1851.¹⁴⁶)

(e) No privilege or preference to be accorded by either country, directly or indirectly, nor by any association, corporation, or agent acting in its name or under its authority, favoring purchase of any articles imported in its own vessels over those imported in ships of the other. (Art. XII.)

(f) All privileges or liberties concerning disposal of property in any lawful manner, by will or otherwise, including withdrawal of the same or proceeds thereof from the country, and all imposts or charges relating thereto. (Art. XV.)

(g) Assistance to each other's vessels in case of damage or shipwreck, including dues and charges for salvage of vessels and cargoes. (Art. XVIII.)

(h) National treatment accorded in Netherland colonies and ports outside of Europe to vessels of Greece and their import or export cargoes; except the coasting trade of the Dutch Indies, which is reserved for the national flag. (Addl. conv. 30 June, 1851,¹⁴⁶ Art. III.)

III. Other provisions.

(a) Right of citizens of either country to reside and trade throughout the territories of the other, and to own or lease houses and other immovable property required for their commerce. (Art. II.)

(b) Exemption of each other's vessels from tonnage and clearance dues in either country, under conditions stated. (Art. V.)

(c) Piracy (Art. XIX), and commerce of either country in case the other is at war (Art. XX).

¹⁴⁶ French, Lagemans 3 : 293-4 ; B. F. S. P. 40 : 1164-5 ; Dutch, Staatsbl. 1851, No. 122.

Treaty with Norway.

See Sweden and Norway, No. 348.

Treaty with Persia.

No. 343.

Treaty of friendship, commerce, and navigation between Greece and Persia.

SIGNED 28 Oct., 1861, at Constantinople. Effective from 11 Mar., 1862, for 12 years, and thereafter until terminated by 12 months' notice from either party. (Art. XI.)

TEXT: Greek and French, Greece Tr. 1912: 664-73; French, B. F. S. P. 51: 533-8.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting every advantage, right, and privilege which either country may accord to the subjects of any other nation. (Art. IV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Reception and treatment by either country of merchants, manufacturers, and travelers from the other, with special reference to payment of taxes of any kind. (Art. IV.)

(b) Treatment of Greek subjects in Persia in localities where there is no Greek consul, with regard to exemption of houses, stores, and shops from forced entry or search. (Art. IV.)

(c) Customs duties payable in either country by subjects of the other on importation or exportation of merchandise. (Art. V.)

(d) Consideration and privileges to be extended in ports of either country to merchant vessels of the other. (Art. VI.)

(e) Customs duties imposed by either country on importation or exportation of merchandise of any kind in ships of the other, whatever its origin or destination. (Art. VI.)

(f) Assistance to be given ships of either country wrecked in ports or on coasts of the other. (Art. VII.)

(g) Honors and privileges to be accorded by either country to consuls of the other, both as regards their persons and official functions, and their dwellings, assistance, and servants. (Art. VIII.)

(h) Treatment of citizens of either country in the other with regard to administration of justice. (Art. IX.)

II. Other provisions.

(a) Right of subjects of either country to travel in and through the other; with special reference to safe conducts and other protection to be given by local authorities in either country. (Art. III.)

(b) Subjects of either country may import, export, and transport all kinds of merchandise through, into, or from the other by

land or sea, and may exercise commerce throughout the extent of both empires; and may hire houses, stores, and shops; it being understood that internal commerce is subject to the laws of the country. (Art. IV.)

(c) Persian officials cannot enter by force into houses, stores, and shops of Greek subjects, nor make any domiciliary search except in the presence of representatives of the Greek diplomatic agent or consul. (Art. IV.)

(d) Right of either country to appoint three consuls in the other at places named; it being understood that Greek consular agents engaging in commercial affairs are subject in Persia, as regards their commerce, to the same laws and customs as other Greek subjects. (Art. VIII.)

(e) Consular administration of estates of their deceased nationals in either country. (Art. IX.)

Treaty with Rumania.

No. 344.

Commercial convention between Greece and Rumania.

SIGNED 17 Mar., 1914, at Bucharest. Ratifications exchanged there 4 June, 1914. Duration indefinite, subject to termination by either party on 12 months' notice. (Art. II.)

TEXT: French. B. F. S. P. 107:892; Monitorul O. 1914, No. 52.

Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms respecting any favor, privilege, or reduction of duties which either country may accord by similar treaties to any third power; with special reference to importation, exportation, transit, and whatever concerns commercial and maritime operations, exercise of commerce and industry, payment of taxes and other imposts, and protection of industrial property. (Art. I.)

Treaty with Russia.¹⁴⁷

No. 345.

Treaty of commerce and navigation between Greece and Russia, and protocol additional thereto.

SIGNED 24 June and 6 Oct., 1850, respectively, at Athens. Effective for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XVI.)

TEXT: Greek and French, Greece Tr. 1912:686-701; French, B. F. S. P. 39:95-104.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms (subject to exceptions noted below) respecting any particular favor which either country may accord to other nations in matters of commerce and navigation. (Art. VII and protocol, Art. 1.)

¹⁴⁷ See p. 757, note 195.

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of subjects of either country to enter all ports and places open to foreign commerce in the other. (Art. I.)

(b) Any duties or prohibitions which either country may impose on importation of products of the other, or on exportation of its products to the other. (Art. VI.)

(c) Right of either country to appoint consular officers and commercial agents in the other. (Art. VIII and protocol, Art. 2.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged respecting duties payable by vessels of either country loading or discharging foreign cargo at different ports of the other on the same voyage. (Protocol, Art. 4.)

III. National treatment is reciprocally pledged with regard to:

(a) Protection and security of subjects of either country carrying on lawful business in the other. (Art. I.)

(b) Treatment of vessels of either country in ports of the other as regards payment of dues for tonnage, light, pilotage, port, quarantine, and any other taxes or charges under whatever name, whether levied for the government, or for local authorities or private establishments of any kind. (Art. II.)

(c) Importation and exportation. All articles which may be legally imported into, or exported from, either country in its own vessels, may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination; without paying other or higher duties or charges of any kind, and subject to the same bounties and drawbacks, as when carried in national vessels. (Arts. III-V.)

(d) Any duties or regulations imposed by either country on importation, warehousing, or reexportation of any articles of commerce, whether carried in vessels of either country. (Art. VI.)

(e) Treatment of vessels of either country seeking refuge in ports of the other from damage or shipwreck, with special reference to payment of dues; including expenses for salvage and quarantine. (Art. X.)

(f) Duties regarding disposal of, or succession to, personal property in either country by will or otherwise. (Art. XI.)

IV. Other provisions.

(a) Nationality of vessels to be recognized in accordance with ships' papers issued by the competent authorities under laws of each country. (Art. I.)

(b) Detailed provisions relating to functions and privileges of consular officers and recovery of seamen deserters (Arts. VIII, IX, and protocol, Art. 3); treatment of estates left by nationals of either country dying in the other and settlement of disputes concerning

succession thereto (Arts. XII, XIII); inheritance of landed property in either country by subjects of the other (Art. XIII); and reciprocal exemption of subjects of either country from the *jus detractus* (Art. XIV).

V. Exceptions.—The provisions of this treaty do not apply to:

(a) Special advantages accorded by Russia to Sweden and Norway, concerning commercial relations between those countries and Finland. (Separate art. I.)

(b) Exemptions, immunities, and privileges accorded by Russia to Russian-owned vessels built in Russia, which are exempt from navigation dues during the first three years. (Separate art. II.)

(c) Immunities accorded in Russia to English yacht clubs. (Ibid.)

Treaty with the Serb-Croat-Slovene State,¹⁴⁸

No. 346.

Provisional commercial arrangement between Greece and Serbia.

SIGNED 29 June, 1894, at Belgrade. Ratifications exchanged there 9 June, 1895. Duration indefinite. Terminable on 12 months' notice by either party. (Art. II.)

TEXT: Greek and French, Greece Tr. 1912: 711-13; French, B. F. S. P. 86: 1207-8.

Most-favored-nation treatment is reciprocally pledged in general terms with regard to establishment of each other's nationals and in matters of commerce and navigation; with special reference to importation, exportation, transit, and whatever concerns customs duties, commercial operations, exercise of commerce and industries, and payment of taxes relating thereto. (Art. I.)

Most-favored-nation treatment is further assured to merchandise originating in either country as regards transportation in the other by rail or any other way. (Art. I.)

Treaty with Spain.

No. 347.

Treaty of commerce and navigation between Greece and Spain.

SIGNED 23 Sept., 1903, at Paris. Ratifications exchanged there 14 Nov., 1904. Terminable on one year's notice by either party. (Art. XX.)

TEXT: Greek and French, Greece, Tr. 1912: 456-71; French, B. F. S. P. 96: 621-9.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) All benefits and customs advantages to be accorded to products of either country imported into the other; except special customs advantages which Spain may accord exclusively to Portugal and to France to facilitate frontier traffic, or which Greece may accord to another State for the same purpose. (Art. II.)

¹⁴⁸ See p. 771, note 197.

(b) Exceptional prohibitions which either country may impose on importation, exportation, or transit (Arts. II, III), as noted below under III b.

(c) Any duties or formalities imposed by either country on exportation of any articles to the other. (Art. III.)

(d) Rights which commercial, industrial, or financial companies and associations of either country may exercise in the other. (Art. VI.)

(e) Treatment of commercial travelers of either country in the other with regard to licenses and the importation and reexportation of samples. (Art. VIII.)

(f) All privileges, exemptions, and immunities accorded to consular officers by either country. (Art. XI.)

II. National treatment is reciprocally pledged in regard to:

(a) Acquisition, possession, and disposal of, or succession to, property of all kinds, real or personal, by will or otherwise, in any manner. (Art. I.)

(b) All rights concerning exercise of commerce and industries in either country, and all imposts relating thereto. (Art. I.)

(c) All matters relating to bounties, drawbacks, facilities, and warehousing in either country. (Art. IV.)

(d) Importation and exportation. Any merchandise which may be lawfully imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination, without paying other or higher duties and entitled to the same bounties, drawbacks, and other favors as when carried in national vessels. (Art. V.)

(e) Protection of citizens of either country in the other with regard to property in trade or industrial marks, designs, or models. (Art. VII.)

(f) All dues for tonnage, port, pilotage, lighting, quarantine, brokerage, and any similar dues imposed on the hull of the vessel, under whatever name and no matter by whom or how levied in ports of either country on ships of the other, from whatever place arriving, and whatever their destination. (Art. IX.)

(g) Any expenses payable by vessels of either country wrecked and salvaged in ports or on coasts of the other. (Art. XVIII.)

III. Other provisions.

(a) Citizens of either country are exempt in the other from obligation to accept official or municipal functions, from all personal military service by land or sea, and from all military requisitions, extraordinary contributions or forced loans, except those imposed on landed property. (Art. I.)

(b) Neither country to obstruct its commerce with the other by prohibitions against importation or transit, except in the following cases applying to all countries in the same circumstances:

(1) Any State monopolies which may be established by either country;

(2) Sanitary measures for protection of persons, cattle, or plants useful to agriculture. (Art. II.)

(c) Subjects of either country are exempt in the other from all transit duties. (Art. IV.)

(d) Detailed and extensive provisions regarding rights, duties, and functions of consular officers in either country. (Arts. XI-XIX.)

IV. Exceptions.—The coasting trade, both maritime and fluvial, and the various branches of fisheries in territorial waters of either country are reserved for the national flag. (Art. X.)

Treaty with Sweden and Norway.

No. 348.

Treaty of commerce and navigation between Greece and Sweden and Norway.

SIGNED 27 Oct., 1852, at Athens. Effective for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XXI.)

TEXT: Greek and French, Greece Tr. 1912: 604-15; French, B. F. S. P. 44: 916-23; Sweden Tr. 1910: 807-13; Norwegian, Norway Tr. 1914: 78-84.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) All duties imposed by either country on importation of products of the other (Art. VI), subject to conditions stated (Art. XIX).

(b) Any prohibitions imposed on importation or exportation of products of either country to or from the other. (Art. VI.)

(c) Any taxes payable by commercial travelers of either country in the other (Decl. of 2 Mar., 1893¹⁴⁹).

II. National treatment is reciprocally pledged in regard to:

(a) Equal freedom of commerce, and perfect equality and reciprocity of commercial rights and advantages in either country; with special reference to any payments or charges relating thereto. (Art. II.)

(b) Right of residence in either country, and right to own dwellings, stores, and other real property necessary for commerce, subject to condition stated. (Art. II.)

(c) Security and protection to be accorded to merchants of either country as regards their persons, property, and business in the other. (Art. II.)

¹⁴⁹ French, B. F. S. P. 85: 485.

(d) Treatment of ships of either country in ports of the other respecting payment of taxes or charges of any kind levied by the Government, or by local authorities or private establishments; with special reference to duties for tonnage, beaconage, pilotage, and quarantine, and port dues or tolls. (Art. III.)

(e) Importation and exportation. Any objects of commerce which may be lawfully imported into or exported from either country in its own vessels, may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination, without paying other or higher duties or charges of any kind, and entitled to the same bounties, drawbacks, and warehousing facilities, as when carried in national ships. (Arts. IV, V, VII.)

(f) Freedom of purchase and sale of products of either country in the other, whether imported in vessels of either nationality. (Art. VIII.)

(g) Treatment in ports and warehouses of either country of merchandise imported and reexported in ships of the other; with special reference to regulations, conditions, and dues relating thereto. (Art. IX.)

(h) Any duties or charges imposed on vessels of either country entering different ports of the other on the same voyage, under conditions stated. (Art. X.)

(i) Treatment of subjects of either country in the other with regard to all rights, privileges, favors, and exemptions concerning persons and property. (Art. XII.)

III. Other provisions.

(a) The coasting trade of either country is reserved exclusively for the national flag; but vessels of either country may discharge foreign cargo at different ports of the other on the same voyage. (Art. X.)

(b) Assistance to vessels of either country wrecked in ports or on coasts of the other. Salvaged merchandise is exempt from payment of duties, unless cleared for consumption in the country. (Art. XIII.)

(c) Detailed provisions concerning nationality of vessels (Art. XI); piracy (Art. XIV); contraband (Art. XV); and functions and privileges of consuls of either country in the other (Arts. XVI-XVIII).

IV. Application to colonies.—All the stipulations of this treaty are applicable to Greek vessels in the island of St. Bartholomew and dependencies in the West Indies, from whatever place arriving and for whatever place departing. (Art. XX.)

Treaty with Switzerland.**No. 349.***Provisional commercial convention between Greece and Switzerland.*

SIGNED 10 June, 1887, at Berlin. Terminable on 12 months' notice by either party. (Art. IV.)

TEXT: Greek and French, Greece Tr. 1912:412-15; French, B. F. S. P. 78:930-1.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any privileges, immunities, or advantages which either country may accord to the subjects or merchandise of any other nation (Art. I); with special reference to any favor, privileges, or reduction of duties relating to importation or exportation (Art. II).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment by either country of objects imported from the other, whether destined for consumption, warehousing, reexportation, or transit; with special reference to payment of duties. (Art. II.)

(b) Export duties which either country may impose on exportation of any objects to the other. (Art. II.)

(c) All matters concerning transit through either country. (Art. II.)

II. National treatment is reciprocally pledged with regard to any advantages accorded by either country in matters concerning protection of trade and industrial marks, subject to provisions and formalities prescribed by the laws and regulations in force. (Decl. of 3 Dec., 1895.¹⁵⁰)

III. Other provisions.—Citizens of either country are exempt in the other from all military service and from all extraordinary requisitions or contributions imposed in exceptional circumstances, so far as such contributions are not imposed on landed property. (Art. III.)

IV. Exceptions.—The principle of most-favored-nation treatment does not apply to favors which either country may accord to bordering States to facilitate frontier traffic, nor to reductions or exemptions from customs duties granted only to limited frontier zones, or to inhabitants of certain districts. (Art. III.)

Treaties with the United States of America.

Treaties of Greece with the United States have been previously dealt with in this volume under America, United States of, No. 27.

¹⁵⁰ French, B. F. S. P. 87:409.

GUATEMALA.

Treaties with America, United States of, to Germany.

Treaties of Guatemala with the following countries have been previously dealt with in this volume under:

America, United States of, No. 28.

Germany, No. 314.

Treaty with Italy.

No. 350.

Treaty of commerce and navigation between Guatemala and Italy.

SIGNED 28 Feb., 1916, at Guatemala. Ratifications exchanged 1 Aug., 1916. Effective from exchange of ratifications until 31 Dec., 1917, and thereafter terminable on 12 months' notice by either party. (Art. 16.)

TEXT: Italian, G. U. 1 Sept., 1916:4414-18; Spanish, El Guatemalteco, 9 May, 1916:229-30; English (transl.), B. F. S. P. 110:893-8.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) in regard to:

(a) Exercise of professions in either country by citizens of the other. (Art. 2.)

(b) Whatever articles of commerce may be lawfully imported into or exported from either country in vessels of any foreign State may likewise be imported or exported in vessels of either contracting country, from whatever place arriving and for any destination, without paying other or higher duties and subject to the same exemptions, bounties, and drawbacks as when carried in ships of the most-favored nation. This complete equality of treatment to apply also with reference to transit of any merchandise through either of the contracting countries. (Art. 6.)

(c) All duties and taxes of any kind imposed on vessels of either country in ports of the other, whether levied for the State or for municipalities, corporations, public officials, or establishments of any kind. (Art. 10.)

(d) Treatment of vessels of either country in ports, waters, and docks of the other, with special reference to stationing, loading, and unloading, and all formalities and arrangements affecting the vessels and their crews or cargoes. (Art. 10.)

(e) Duties levied on ships of either country loading or discharging foreign cargo at different ports of the other on the same voyage; but the coasting trade is expressly reserved for regulation by laws of each country. (Art. 11.)

(f) Treatment of merchants, manufacturers, and commercial travelers from either country buying or selling merchandise in the other with or without samples, and all imposts or facilities relating thereto, including temporary duty-free admission of travelers' samples when capable of identification. (Art. 16.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) All duties, imposts, taxes, or other charges, and all privileges, exemptions, immunities, or favors of any kind concerning exercise of commerce, industries, or professions in ports, cities, and other localities of either country. (Art. 2.)

(b) Right to acquire, possess, and dispose of movable and immovable property in either country, and to rent or lease lands, houses, and shops. (Art. 3.)

(c) Internal duties or charges imposed by either country on production, manufacture, or consumption of merchandise, whether levied for the State or for municipalities or corporations, must not bear more heavily on products of the other country than on similar articles of domestic or other foreign production. (Art. 7.)

(d) Military requisitions or imposts incumbent on possessions of landed property in either country. (Art. 4.)

III. National treatment is reciprocally pledged in regard to:

(a) All taxes, imposts, or other charges of any kind relating to acquisition, possession, or disposal of movable or immovable property in either country; including export thereof or of proceeds if sold. (Art. 3.)

(b) Right of citizens of either country to conduct any lawful business in the other, personally or otherwise, with special reference to remuneration payable to persons employed. (Art. 5.)

IV. Other provisions.

(a) Exemption of each other's citizens from compulsory military service and all military requisitions or forced loans (except charges incumbent on possession of landed property), and from obligation to accept judicial, administrative, or municipal office. (Art. 4.)

(b) Neither country to obstruct commerce with the other by prohibitions against importation, exportation, or transit, except in the following cases:

(1) Exceptional circumstances connected with war.

(2) Consideration of public security.

(3) Sanitary measures to protect persons, animals, or useful plants.

(4) Application to foreign merchandise of prohibitions or restrictions imposed by internal laws on production or distribution of similar articles of domestic production. (Art. 8.)

(c) Either country may require certificates of origin to be presented in exceptional cases under conditions stated. (Art. 9.)

(d) Exemption of vessels from tonnage and clearance duties in ports of either country under conditions stated. (Art. 12.)

(e) Merchandise salvaged from damaged or shipwrecked vessels of either country is exempt in the other from customs duties, unless cleared for domestic consumption. (Art. 13.)

V. Exceptions.—The provisions of this treaty do not apply to:

(a) The coasting trade and fishing industry of either country, which is reserved for regulation by their respective laws. (Art. 11.)

(b) All that relates to towage and salvage service in either country. (Ibid.)

(c) Most-favored-nation provisions of this treaty do not apply to special favors which Guatemala may grant to any Central American Republic. (Art. 15.)

Treaty with Spain.

No. 351.

Treaty of recognition, peace, and friendship between Guatemala and Spain.

SIGNED 29 May, 1863, at Madrid. Ratifications exchanged there 20 June, 1864. Duration indefinite.

TEXT: Spanish, Guatemala Tr. 1:125-32; English (transl.) B. F. S. P. 59:1200-4.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms regarding any exemptions, favors, or privileges granted by either country in matters of commerce, customs, and navigation. (Art. IX.)

Most-favored-nation treatment is further pledged in regard to:

(a) Taxes payable in either country by citizens of the other on industry, commerce, or property. (Art. VIII.)

(b) Exercise of trades, professions, and commerce by wholesale or retail; acquisition and disposal of, or succession to, every description of property, real or personal, including export of proceeds if sold; and all conditions or payments relating to any of these. (Art. VII.)

(c) All exemptions, privileges, and immunities accorded to diplomatic and consular agents by either country. (Art. X.)

II. Other provisions.—Exemption of each other's citizens from military service, and from all extraordinary contributions and forced loans. (Art. VIII.)

Treaties with the United States of America.

Treaties of Guatemala with the United States have been previously dealt with in this volume under America, United States of, No. 28.

HAITI.

Treaties with America, United States of, to Germany.

Treaties of Haiti with the following countries have been previously dealt with in this volume under:

America, United States of, No. 29.

France, No. 288.

Germany, Nos. 314 and 316.

HEDJAZ.

See Treaty of Versailles, No. 314.

HONDURAS.

Treaties with America, United States of, to Germany.

Treaties of Honduras with the following countries have been previously dealt with in this volume under:

America, United States of, No. 30.

Belgium, No. 104.

France, No. 289.

Germany, Nos. 314 and 317.

Great Britain (under British Empire), No. 165.

Treaty with Italy.

No. 352.

Treaty of commerce and navigation between Honduras and Italy, and declaration additional thereto.

SIGNED 31 Dec., 1868, at Guatemala. Ratifications exchanged there 18 Sept., 1871. Additional declaration signed 14 July, 1875.¹⁵¹ Effective from 18 Sept., 1871, for 10 years. and thereafter terminable on 12 months' notice by either party. (Art. XXIV.)

TEXT: Italian, Italy Tr. 1911, I: 531-40; Martens 54: 241-8; English (transl.), B. F. S. P. 61: 1045-52.

I. Most-favored-nation treatment is reciprocally pledged in general terms regarding all favors or concessions granted by either country in matters of commerce and navigation, or respecting any other matters contemplated in this treaty. (Art. XXIII.)

Most-favored-nation treaty is further reciprocally pledged in regard to:

¹⁵¹ Italian, Italy Tr. 1911, I: 540; Martens 54: 248; English (transl.), B. F. S. P. 69: 415.

(a) Duties payable on importation or exportation of products of either country (Art. V and addl. decl.).¹⁵¹

(b) Treatment of warships of either country in ports of the other (Art. I.)

II. National treatment is reciprocally pledged in general terms respecting all rights, privileges, liberties, favors, immunities, and exemptions in matters of commerce and navigation, and all taxes or imposts relating thereto; subject to the laws and regulations in force. (Arts. I, II.)

National treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to enter with vessels and cargoes all places, ports, and rivers in the other, and to reside in any part thereof. (Art. I.)

(b) Right of citizens of either country to trade in the other by wholesale or retail; to hire and occupy houses, warehouses, and shops; transport goods and money; receive consignments, domestic or foreign; conduct lawful business in any capacity, personally or otherwise; on paying the same dues, taxes, charges, contributions, or imposts which native citizens pay. (Art. II.)

(c) All rights and privileges concerning protection of persons and property, on the same conditions as native citizens. (Art. III.)

(d) All articles of commerce which may be legally imported into or exported from either country in any foreign vessels, from whatever place arriving and for any destination, may likewise be imported or exported in Italian or Honduran vessels; subject to the same duties, exemptions, allowances, and drawbacks as when carried in national vessels. (Art. V.)

(e) All dues for tonnage, port, lighthouse, pilotage, quarantine, and any other duties or charges of any kind, levied in ports of either country on ships of the other; including the coastwise trade of both countries. (Art. VII.)

(f) All civil rights; with special reference to possession and disposal of, or succession to, property of all kinds, by will or otherwise, and all dues, taxes, or imposts relating thereto. (Art. XVIII.)

(g) All conditions, restrictions, or taxes concerning access to courts of justice and employment of advocates or others therein. (Art. XIX.)

III. Other provisions.

(a) Exemption of each other's citizens from obligatory military service by land or sea, from all contributions in substitution therefor; and from obligations to accept judicial or municipal office. (Art. III.)

(b) Citizens of either country and their vessels, crews, and cargoes are exempt in the other from sequestration, embargo, or deten-

¹⁵¹ Italian, Italy Tr. 1911, I:540; Martens 54:248; English (transl.), B. F. S. P. 69:415.

tion for military expeditions, or for any public use, without indemnity previously agreed on. (Art. IV.)

(c) No monopoly, indemnity, or privilege to be granted by either country to the injury of the commerce, the flag, and the citizens of the other; except Government monopolies, and the introduction or application of patents for inventions. (Art. VI.)

(d) Exemption of vessels from all tonnage and clearance dues, under conditions stated. (Art. VIII.)

(e) Nationality of merchant vessels to be determined by ships' papers required by the laws of each country. (Art. XVII.)

(f) Extensive provisions relating to shipwrecks (Art. IX), piracy (Art. XI), war (Arts. XII and XVI), blockade (Arts. XII-XIV), contraband (Art. XV), and validity of either country of sentences, ordinances, and notarial acts issued or executed in the other (Arts. XX-XXII).

Treaty with Mexico.

No. 353.

Treaty of arbitration, friendship, commerce, and navigation between Honduras and Mexico.

SIGNED 24 Mar., 1908, at Mexico. Ratifications exchanged there 30 Sept., 1910. Effective from exchange of ratifications for five years, and thereafter terminable on 12 months' notice by either party. (Art. XXVII.)

TEXT: Spanish, Honduras Tr. Vig. 1915:83-102; Martens 93:753-6; English (transl.), B. F. S. P. 102:655-67.

I. Most-favored-nation treatment is reciprocally but conditionally (Art. XXVIII) pledged (subject to exceptions noted below) in regard to:

(a) Free and secure access, with ships, cargoes, and effects, to all ports, rivers, and similar places open to foreign commerce in either country. (Art. XI.)

(b) Duties imposed by either country on importation, reexportation, or transit of products of the other. (Art. XIII.)

(c) Duties imposed by either country on exportation of any merchandise to the other. (Art. XIII.)

(d) Prohibitions established by either country respecting importation, exportation, or transit of goods; except sanitary measures, or to prevent propagation of epizootic diseases or loss of harvests, and except operations of war. (Art. XIII.)

(e) All honors, immunities, privileges, and exemptions extended to war ships of either country in ports and waters of the other; subject to previous authorization for stationing of squadrons. (Art. XV.)

(f) All duties payable by vessels of either country loading or unloading (foreign) cargoes in different ports of the other on the same voyage; but the coasting trade is reserved for regulation by the laws of each country. (Art. XVI.)

(g) Local treatment of crews, vessels, and import or export cargoes in ports or waters of either country, with special reference to stationing, loading, and unloading of vessels, and all taxes or contributions relating thereto; also payment of port, anchorage, tonnage, lighthouse, pilotage, salvage, quarantine, and other dues or charges affecting the hull of the ship; subject to observing the laws and regulations regarding police of the ports, customs formalities, and prevention of smuggling. (Art. XVII.)

(h) Any merchandise of whatever origin which may be imported into or exported and reexported from either country in any foreign vessel, from whatever place arriving and for any destination, may likewise be carried in Mexican or Honduran vessels, without being subject to other formalities, duties, or contributions than vessels of the most-favored nation. (Art. XIX.)

(i) Payment of any duties charged on produce of a third country shipped from one of the contracting States to the other. (Art. XIX.)

(j) All privileges, honors, exemptions, and immunities accorded to diplomatic and consular representatives by either country. (Art. XXIII.)

(k) Obligation of citizens of either country to respect the institutions, obey the authorities, and observe the laws of the other, especially laws defining the rights and obligations of foreigners. (Art. IV.)

II. National or most-favored-nation treatment (at claimant's option) is reciprocally pledged with reference to taxes, duties, charges, or contributions payable in either country by citizens of the other on real or personal property, and also as regards treatment of property of each other's citizens in case of war between the two countries. (Art. IX.)

III. National treatment is reciprocally pledged in regard to:

(a) Security and protection of each other's citizens as regards their persons, domiciles, and property in either country. (Art. II.)

(b) Acquisition, possession, and disposal of, or succession to, property of all kinds in either country, by will or otherwise; also right to export property or proceeds thereof, and any imposts, charges, export duties, inheritance taxes, or transfer charges relating thereto. (Art. III.)

(c) All rights, privileges, and obligations relating to administration of justice in either country. (Art. IV.)

(d) Payment of taxes, charges, or personal contributions of any kind imposed on persons, property, industry, trade, or professions in either country. (Art. IX.)

(e) Citizens of either country are exempt in the other from forced loans and from charges or requisitions of war, except when imposed

on capital in circulation or on real property in either country. (Art. IX.)

(*f*) Right to travel in any part of either country and to engage in any lawful commerce, trade, or industry, personally or otherwise, including right to buy or rent lands, houses, shops, and other premises. (Art. XI.)

(*g*) All that relates to the loading, discharging, and clearing of vessels and merchandise in either country, with special reference to declarations for customs and other departments of the revenue. (Art. XI.)

(*h*) All concessions, privileges, or immunities concerning right to traffic in all kinds of securities, stocks, bills, and shares, and to form and conduct all classes of commercial, industrial, or financial establishments and companies, with special reference to any privileges which the laws and regulations of the mining industry may concede to the natives in either country. (Art. XI.)

(*i*) All rights and privileges granted by either country to its citizens respecting patents for inventions, industrial or commercial trade-marks, labels, drawings, and engravings of industrial objects. (Art. XII.)

(*j*) Right to engage in all lawful forms of maritime commerce in either country, subject to complying with local laws and regulations relating thereto. (Art. XIV.)

(*k*) Right to acquire possession of merchant vessels by any legal title in either country, and to sail them under the flag of the State where purchased, subject to observing its laws and regulations relating thereto. (Art. XIV.)

(*l*) Assistance and protection to any vessels of either country seeking refuge from damage or shipwreck in waters of the other. (Art. XX.)

(*m*) Treatment and judicial procedure to be applied to citizens of either country participating in civil disturbances of the other. (Art. XXIII.)

(*n*) Diplomatic and consular representatives of either nation in foreign countries to afford the same protection to persons and property of citizens of the other as to their own compatriots, and on the same terms. (Art. XXVI.)

IV. Other provisions.

(*a*) Arbitration of disputes between the two countries, except matters involving national dignity or territorial integrity. (Art. I.)

(*b*) Judicial orders and final judgments in civil, commercial, and other specified matters; also legal documents, deeds, testaments, and other public instruments issued by courts or other authorities of

either country and drawn up and legalized in the manner prescribed, to have the same force and validity in the other country as when issued by its own courts or other authorities concerned. (Arts. V-VII.)

(c) Exemption of each other's citizens from all compulsory military service by land or sea, and from all contributions in substitution therefor; except service in police forces when required for security of property or preservation of order in civil matters. (Art. VIII.)

(d) Exemption of ships, crews, merchandise, and other property of citizens of either country from requisition or detention in the other for military purposes or for any public service, without just compensation previously guaranteed. (Art. VIII.)

(e) Assistance and protection to each other's citizens and vessels in case of damage or shipwreck. (Art. XX.)

(f) Limit of jurisdiction of either country in its territorial waters (for police supervision, enforcement of customs regulations, prevention of smuggling, and in matters concerning the safety of the country) to be 20 kilometers from the line of low water. (Art. XXI.)

(g) Neither country to be responsible for damages or exactions suffered by citizens of the other during insurrections or civil war from rebels, etc., except in case of fault or neglect on the part of the authorities concerned. (Art. XXIII.)

(h) Complete liberty of conscience and of religion is assured to citizens of either country in the other, subject to the laws of the country. (Art. II.)

(i) Free legal advice in either country to indigent citizens of the other. (Art. IV.)

(j) Exemption of each other's vessels from payment of tonnage dues, port dues, and fees for clearance (but not from pilotage charges), under conditions stated. (Art. XVIII.)

(k) Products of any third country shipped from one of the contracting States to the other are reciprocally exempt from all transit dues. (Art. XIX.)

(l) Detailed provisions concerning conduct of either country in case the other is at war with any third power. (Art. XXII.)

(m) Diplomatic representatives not to intervene in complaints relating to civil, criminal, or administrative matters, except for denial of justice or violation of existing treaties. (Art. XXIII.)

(n) Nationality of merchant ships of either country to be determined by ship's papers required by national laws. (Art. XV.)

V. Exceptions.—The provisions of this treaty do not apply to:

(a) The fishing industry in any of its branches or applications, which remains subject to the laws of each country. (Art. XXIV.)

(b) Most-favored-nation rights claimable under this treaty do not include privileges which Honduras may grant to Central American Republics. (Art. XXVIII.)

Treaty with Salvador.

No. 354.

Treaty of free trade between Honduras and Salvador.

SIGNED 28 Feb., 1918, at Tegucigalpa. Ratifications exchanged there 27 Apr., 1918. Effective until 27 Apr., 1924, and thereafter for further periods of six years, unless notice of termination is given by either party three months before expiration of any six-year period (Art. XII), but terminable immediately in case either country should be obliged under conditions stated to grant the same commercial favors to any third power outside the group of Central-American States (Art. XI).

TEXT: Spanish, Salvador Bol. Rel. Ext., Mar., 1918: 21-6; English (transl.), B. F. S. P. 111: 750-2.

I. Scope of free trade.

(a) The free trade established by this treaty applies only to:

(1) Trade carried on over the respective land frontiers, or through ports of the Gulf of Fonseca. (Art. X.)

(2) Natural products and raw materials produced in either country and articles manufactured therefrom, except articles of Government monopoly (Art. I), and except as noted below under II a.

II. Taxes, duties, and customs tariffs.

(a) The natural products and raw materials of either country and articles manufactured therefrom (except coffee, hides of all kinds, and cigarettes) shall be free of taxes for transit or any other object, and free of import or export duties of every kind, whether levied for the State or for municipalities, corporations, or any other bodies. (Art. II.)

(b) Both parties agree to appoint delegates with a view to rendering uniform the customs tariffs existing in both countries. (Art. VIII.)

(c) Each country to reduce as far as possible the taxes on the slaughter of cattle, in order to favor consumers. (Art. IX.)

III. Other provisions.

(a) Notwithstanding the existing prohibition against exportation of metallic currency, each country agrees to permit export of coin without any formality in payment of products to which this treaty refers. (Art. III.)

(b) To make the exemption from duties effective, certificates of origin may be required, which must be legalized in the manner stated. (Arts. IV, V.)

(c) Neither Government shall permit any establishment for manufacture or sale of "aguardiente" within 3 leagues from the uninhabited frontier, nor in valleys or communities where there is no authority. (Art. VI.)

(d) Both parties agree to construct necessary roads and bridges on frontiers to facilitate traffic between the two countries. (Art. VII.)

Treaties with the United States of America.

Treaties between Honduras and the United States have been previously dealt with in this volume under America, United States of, No. 30.

HUNGARY.¹⁵²

Treaties with America, United States of, to Germany.

Treaties of Hungary with the following countries have been previously dealt with in this volume under :

America, United States of, No. 31.

Germany, No. 318.

Treaty with the Allied and Associated Powers.

No. 355.

Treaty of peace between Hungary and the Allied and Associated Powers.

SIGNED ¹⁵² 4 June, 1920, at Trianon. Effective from 26 July, 1921, for indefinite term, but various time limits are placed on operation of specified articles of the treaty.

CONTRACTING STATES: The following powers have ratified the treaty: British Empire, France, Italy, Japan, and Hungary.

TEXT: English. United States 67th Cong., 1st sess., S. Doc. No. 7: 163-319; G. B. T. S. 1920, No. 10, Cmd. 896.

I. Most-favored-nation treatment is unconditionally pledged by Hungary to all the Allied and Associated States (subject to exceptions and limitations noted below under II *a-e*) in respect to the following matters:

(*a*) **IMPORTATION, EXPORTATION, TRANSIT.**—Every favor, immunity, or privilege granted by Hungary in regard to importation, exportation, or transit of goods. (Art. 203.)

(*b*) **IMPORTATION.**—All duties or charges (including internal charges), and all prohibitions or restrictions imposed on importation into Hungarian territory of products of any Allied or Associated State, from whatever place arriving. (Art. 200.) No discrimination to be made, on importation, against the commerce of any Allied

¹⁵² For detailed stipulations in Hungary's treaty of peace of 4 June, 1920, with the Allied and Associated Powers concerning her treaty relations after the World War, see Arts. 217-30 of that treaty, noted in this volume under No. 355, VIII *m*, 1-5, also p. 187, note 20.

¹⁵³ Signed by the following powers: America, United States of, British Empire, France, Italy, and Japan (these powers being described in the treaty as the Principal Allied and Associated Powers); Belgium, China, Cuba, Czechoslovakia, Greece, Nicaragua, Panama, Poland, Portugal, Rumania, Serb-Croat-Slovene State, and Siam (these powers constituting with the Principal Powers mentioned above the Allied and Associated Powers); and Hungary.

and Associated State, even by indirect means, such as customs regulations and procedure, methods of verification or analysis, conditions of payment of duties, tariff classification or interpretation, or the operation of monopolies. (Art. 201.) Until 26 Jan., 1922, the duties imposed by Hungary on imports from Allied and Associated States shall not be higher than the most favorable duties applied to imports into Austria-Hungary on 28 July, 1914; and until 26 July, 1924, this provision shall continue to be applied exclusively as regards importation of fruits (fresh and dried), fresh vegetables, olive oil, eggs, pigs and pork products, and live poultry, so far as such products enjoyed on 28 July, 1914, rates conventionalized by treaties with the Allied and Associated Powers. (Art. 206.)

(c) EXPORTS.—All duties or charges (including internal charges) in all that concerns exportation of Hungarian products to any Allied and Associated State; and any prohibitions or restrictions on exportation of any goods sent from Hungarian territory to any such State. (Art. 202.)

(d) TRADE AND INDUSTRY.—Any prohibitions, regulations or restrictions in regard to exercise of occupations, professions, trade and industry. (Art. 211 *a-b*.)

(e) AERIAL NAVIGATION.—Treatment of aircraft of Allied and Associated Powers as regards internal commercial air traffic in Hungary. (Art. 265.)

(f) SEAPORTS.—Treatment of seaports of Allied and Associated Powers as regards all favors and reduced tariffs granted on Hungarian railways or navigable waterways for the benefit of any port of another power. (Arts. 272-3.)

II. Exceptions and limitations.

(a) Articles 200 to 203 (noted above under I *a-c*) can not be invoked by Allied and Associated States to secure the advantage of any arrangement which Hungary may make until 26 July, 1926, with Austria or Czechoslovakia for a special customs régime regarding products which both originate in and come from these countries. (Art. 205.)

(b) The obligations imposed upon Hungary by Articles 200 to 208 (including those noted above under I *a-c*) shall cease to have effect after 26 July, 1926, unless the council of the League of Nations decides before 26 July, 1925, that these obligations shall be maintained for a further period with or without amendment. (Art. 215.)

(c) Unless the League of Nations decides otherwise, none of the Allied and Associated Powers is entitled to require fulfillment by Hungary of provisions of Articles 200 to 203 after 26 July, 1924, unless that power accords correlative treatment to Hungary. (Art. 215.)

(*d*) Article 211 (noted above under I *d*) may be kept in operation after 26 July, 1926, with or without amendment, for a further period not exceeding five years, by a majority of the council of the League of Nations. (Art. 215.)

(*e*) Article 265 (noted above under I *e*) remains in force until 1 Jan., 1923, subject to contingency noted below under VII. (Art. 267.)

III. National and most-favored-nation treatment is unconditionally pledged by Hungary to all the Allied and Associated Powers (subject to exceptions and limitations noted below under V *a-b*), in respect of the following matters:

(*a*) **PORTS, WATERWAYS, AND RAILWAYS.**—Transit through Hungarian territories by rail, waterway, or canal, of persons, goods, vessels, carriages, wagons, and mails coming from or going to any Allied and Associated State, whether contiguous or not. Such persons, goods, vessels, etc., shall not be subjected to any transit duty or to any delays or restrictions, and shall be entitled in Hungary to national treatment as regards charges, facilities, and all other matters. Goods in transit to be exempt from all customs or other similar duties. All transport charges to be reasonable, and no charge, facility, or restriction shall depend on ownership or nationality of the ship or other means of transport employed for any part of the through journey. (Art. 268.)

(*b*) **TAXES, CHARGES, PROHIBITIONS.**—Hungary undertakes to make no discrimination or preference, direct or indirect, in the duties, charges, and prohibitions relating to importations into or exportations from her territories, or (subject to special arrangements contained in this treaty) in the charges and conditions of transport of goods or persons entering or leaving her territories, based on nationality of ports or means of transport employed, or on any of the other grounds or reasons detailed. Hungary particularly undertakes not to establish against the ports and vessels of any Allied or Associated Power any surtax or any direct or indirect bounty for export or import by Hungarian ports or ships, or by those of another power: for example, by means of combined tariffs. (Art. 270.) By way of exception, however, products in transit by the ports which before the war were in Austro-Hungarian territory shall, until 13 Nov., 1923, enjoy on importation into Hungary reductions of duty as under the customs tariff of 1906. (Art. 204.)

(*c*) **TRANSIT TRAFFIC.**—Transportation of goods in transit from or to territories of Allied and Associated Powers, as regards rapidity of carriage and care en route, with special reference to perishable goods and customs formalities relating thereto. (Art. 271.)

(*d*) **NAVIGATION.**—Treatment of vessels and property of nationals of the Allied and Associated Powers in ports and on inland navigation routes in Hungary, in all respects, including transport of goods and passengers without unnecessary impediment to or from any ports or places in Hungarian territory to which Hungarian vessels may have access; with special reference to ports and harbor facilities and charges of every description, no matter by whom or how levied. (Art. 274.) But Hungarian vessels can not carry passengers or goods by regular services between ports of any Allied or Associated Power without special authority from such power. (Art. 277.)

(*e*) **INTERNAL WATERWAYS.**—Equal treatment of the property and flags of all powers on the Hungarian waterways declared to be international, with special reference to the Danube River system and its lateral canals and channels. (Arts. 275–6, 279.)

(*f*) **INTERNATIONAL TRANSPORT.**—Treatment on Hungarian railways of goods coming from territories of the Allied and Associated Powers and going to Hungary, or in transit through Hungary from or to said territories, as regards charges (including rebates and drawbacks), facilities, and all other matters; with special reference to conditions of transport and length of route. Hungary undertakes to maintain on her own lines the régime of tariffs existing before the war as regards traffic to Adriatic and Black Sea ports, from the point of view of competition with North German ports. (Art. 295.)

(*g*) **USE OF RAILWAYS.**—Railway tariffs (including drawbacks and rebates) applicable under the same conditions of speed and comfort to transportation of emigrants going to or coming from ports of Allied and Associated Powers and using the Hungarian railways. Hungary must cooperate in establishment of through ticket services (for passengers and their luggage) required by any of said powers to ensure their communication by rail with each other and with all other countries by transit through Hungary, and must accept trains and carriages coming from territories of said powers. (Arts. 297–9.)

(*h*) **TELEGRAPHS, TELEPHONES.**—Freedom of transit for telegraphic correspondence and telephonic communications coming from or going to any Allied or Associated Power, whether neighbor or not, over lines most suitable for international transit, and without unnecessary delay or restriction. No payment, facility, or restriction shall depend directly or indirectly on nationality of transmitter or addressee. (Art. 309.)

IV. National and most-favored-nation treatment is reciprocally pledged between Hungary, Czechoslovakia, and Poland as regards the making available of coal and lignite for sale to buyers in these countries on terms as favorable as to buyers within the State or in any other country. (Art. 207.)

V. Exceptions and limitations.

(a) **COAL, LIGNITE, ETC.**—Special agreements shall be made between Poland, Czechoslovakia and Hungary for reciprocal supply of coal, lignite, foodstuffs, and raw materials. Pending conclusion of such agreements, but in no case after 26 July, 1926, these States reciprocally undertake that no duty or other restrictions of any kind shall be imposed on the export to each other of coal or lignite up to a reasonable quantity to be fixed as stated. (Art. 207.)

(b) The stipulations in Articles 268 to 274, 277, 295, 297 to 299, and 309 (including those noted above under III, *a-d* and *f-h*, are subject to revision by the council of the League of Nations at any time after 26 July, 1924. Failing such revision, no Allied or Associated Power can thereafter (unless this three-year period is prolonged by said council) claim the benefit of any of those stipulations for any portion of its territories in which reciprocity is not accorded in respect thereof. In transferred territories of the former Austro-Hungarian Monarchy, the benefit of those stipulations can be claimed only on condition of reciprocity being given to Hungary. (Art. 313.)

VI. National treatment is pledged by Hungary to nationals of the Allied and Associated Powers (subject to limitations noted below under VII *a-b*), in respect of the following matters:

(a) **TAXATION.**—All charges, taxes, or imposts, direct or indirect, imposed on nationals of the Allied and Associated Powers, their property, rights, or interests; including companies and associations in which they are interested. (Art. 211 *c*.)

(b) **RESTRICTIONS.**—Any restriction which was not applicable to nationals of the Allied and Associated Powers on 1 July, 1914. (Art. 211 *d*.)

(c) **PROPERTY RIGHTS.**—Any measures in derogation of property rights affecting the property rights or interests restored to nationals of Allied and Associated Powers under Article 232 of this treaty; including companies and associations in which they are interested. (Art. 233 *b*.)

(d) **AERIAL NAVIGATION.**—All privileges of aircraft of Allied and Associated Powers, when passing over or landing in Hungarian territory, particularly in case of distress. (Art. 260.) Also any regulations which Hungary may make with reference to rights of passage, transit, and landing, as applied to aircraft of said powers flying over Hungarian territory. (Art. 261 and 263.)

(e) **AERODROMES.**—Use of aerodromes in Hungary by aircraft of the Allied and Associated Powers; with special reference to charges of every description, including charges for landing and accommodation. (Art. 262.)

(*f*) CERTIFICATES AND LICENSES.—Recognition of certificates of nationality, airworthiness, or competency, and of licenses issued or recognized as valid by any of the Allied and Associated Powers. (Art. 264.)

(*g*) RAILWAYS.—Treatment of rolling stock of Allied and Associated Powers on Hungarian railway lines, as regards movement, upkeep, and repairs. (Art. 300.)

VII. Time limits.

(*a*) Obligations of Articles 260 to 266 (including those noted above under VI *d-f*) shall remain in force until 1 Jan., 1923, unless before that date Hungary is admitted into the League of Nations, or is authorized by the Allied and Associated Powers to adhere to the convention concluded between said powers relative to aerial navigation. (Art. 267.)

(*b*) Article 211 (noted above under VI *a-b*) may be kept in operation after 26 July, 1926, with or without amendment, for a further period not exceeding five years, by a majority of the council of the League of Nations. (Art. 215.)

VIII. Other provisions.

(*a*) UNFAIR COMPETITION.—Hungary undertakes to adopt all necessary legislative and administrative measures to protect products of any Allied and Associated Power from all forms of unfair competition in commercial transactions; and undertakes to prohibit and repress by seizure and other appropriate remedies the importation, exportation, manufacture, distribution, or sale in its territory of all goods bearing marks or descriptions calculated to convey a false indication of origin, type, nature, or special characteristics of such goods. (Art. 210.)

(*b*) REGIONAL APPELLATIONS.—Hungary undertakes (on condition of reciprocity) to respect laws and decisions of Allied and Associated States duly communicated to her by proper authorities, defining or regulating the right to regional appellations for wines or spirits produced in the State to which the region belongs; and to prohibit and repress by seizure and other appropriate remedies the importation, exportation, manufacture, distribution or sale of articles bearing regional appellations inconsistent with such law or order. (Art. 210.)

(*c*) CIVIL RIGHTS.—Constant protection for persons and property, rights, and interests of nationals of Allied and Associated Powers in Hungary, and free access to courts of law. (Art. 212.)

(*d*) CONSULAR OFFICERS.—Hungary undertakes to approve consular officers which Allied and Associated Powers may appoint, and to admit them to the exercise of their functions in conformity with the usual rules and customs. (Art. 214.)

(e) **GOVERNMENT TRADING.**—If the Hungarian Government engages in international trade, it shall not in respect thereof have any rights, privileges, or immunities of sovereignty. (Art. 216.)

(f) **AERIAL NAVIGATION.**—Hungarian aircraft flying over her territory must comply with the rules for air traffic in the neighborhood of aerodromes, as laid down in the convention concluded between the Allied and Associated Powers; with special reference to lights, signals, and rules of the air. (Art. 266.)

(g) **TRANSMIGRATION.**—Hungary undertakes not to exercise any control over transmigration traffic through her territories beyond measures necessary to ensure that passengers are bona fide in transit; nor to allow any shipping company or other private corporation or person interested in the traffic to take part in or exercise influence over any administrative service that may be necessary for this purpose. (Art. 269.)

(h) **PECUNIARY CLAIMS.**—Hungary undertakes not to put forward directly or indirectly against any power signatory of this treaty any pecuniary claim based on events which occurred at any time before 13 Nov., 1920; all claims of this nature are extinguished after that date, whoever may be the parties in interest. (Art. 360.)

(i) **PRIZE COURTS.**—Hungary accepts as valid and binding specified decrees and orders made by any prize court of the Allied and Associated Powers, and waives all claims arising therefrom on behalf of any Hungarian national. Said powers reserve the right to examine in their own way all decisions and orders of Hungarian prize courts. Hungary agrees to furnish copies of all documents constituting the record of the case, and to give effect to recommendations made after such examination. (Art. 361.)

(j) **INTERNATIONAL FINANCE.**—Hungary renounces all rights accorded to her or her nationals by treaties, conventions, or agreements of whatsoever kind, to representation upon or participation in the control or administration of commissions, State banks, agencies, or other financial or economic organizations of an international character exercising powers of control or administration, and operating in any of the Allied or Associated States, or in Germany, Austria, Bulgaria, or Turkey (or their dependencies), or in the former Russian Empire. (Art. 192.)

(k) **MUNITIONS OF WAR.**—Importation, manufacture, and exportation of specified munitions of war are forbidden to Hungary indefinitely (Arts. 118–19); also all specified aircraft until 13 May, 1921 (Art. 131).

(l) **PROTECTION OF MINORITIES.**—Hungary undertakes to assure full and complete protection of life and liberty to all inhabitants of Hungary, without distinction of birth, nationality, language, race, or religion. (Art. 55.) Differences of religion, creed, or confession

shall not prejudice any Hungarian national in matters relating to civil or political rights, as, for instance, admission to public employments, functions and honors, or exercise of professions or industries. (Art. 58.) These stipulations are recognized as fundamental laws and placed under the guaranty of the League of Nations. (Art. 60.) No Hungarian law, regulation, or official action shall conflict or interfere with the same or prevail over them. (Art. 54.)

(m) TREATIES.

(1) Enumeration of multilateral treaties, conventions, and agreements to be applied, after 13 Nov., 1920, and subject to provisions of this treaty, as between Hungary and those of the Allied and Associated Powers party thereto (Arts. 217-21; and of specified conventions to which Hungary undertakes to adhere (Arts. 222-3).

(2) Each of the Allied and Associated Powers must, before 13 May, 1921, notify to Hungary the bilateral agreements of all kinds which such power wishes to revive with Hungary; all not thus notified are and remain abrogated. This applies even to those of the Allied and Associated Powers who were not in a state of war with Hungary. (Art. 224.)

(3) Hungary undertakes to adhere to any general conventions regarding international régime of transit, waterways, ports, or railways which may be concluded by the Allied and Associated Powers, with approval of the League of Nations, before 13 Nov., 1925. (Art. 314.)

(4) Abrogation of all treaties, conventions, etc., concluded by (Austria-)Hungary with Germany, Austria, Bulgaria, or Turkey from 1 Aug., 1914, to 13 Nov., 1920 (Art. 225), or concluded with Russia (or with any State of which the territory previously formed part of Russia), or with Roumania, from 28 July, 1914, to 13 Nov., 1920 (Arts. 227-8).

(5) All treaties, agreements, arrangements, and contracts between (Austria-)Hungary and Morocco (Arts. 80-2) and Egypt (Arts. 86-91) are abrogated, as from 12 Aug., 1914.

(n) Extensive provisions concerning rights of industrial, literary and artistic property. (Arts. 241-5.)

Further extensive and detailed provisions relate to the following matters:

(o) Political clauses concerning European States. (Arts. 36-78.)

(p) Hungarian interests outside Europe. (Arts. 79-101.)

(q) Military, naval, and air clauses. (Arts. 102-43.)

(r) Prisoners of war and graves. (Arts. 144-56.)

(s) Penalties. (Arts. 157-60.)

(t) Reparation. (Arts. 161-79.)

- (u) Financial clauses. (Arts. 180-99.)
- (v) Miscellaneous provisions. (Arts. 256-64.)
- (w) Debts (Art. 231 and annex); property, rights, and interests (Arts. 232-33 and annex); contracts, prescriptions, judgments (Arts. 234-8); and mixed arbitral tribunal (Arts. 239-40 and annex).
- (x) Ports, waterways, and railways. (Arts. 268-314.)
- (y) Covenant of the League of Nations.¹⁵⁴ (Arts. 1-26.)
- (z) Articles relating to labor.¹⁵⁵ (Arts. 315-55.)

Treaties with the United States of America.

Treaties of Hungary with the United States have been previously dealt with in this volume under America, United States of, No. 31.

¹⁵⁴ See No. 506.

¹⁵⁵ See No. 507.

INDIA.

See British Empire, page 290, note 40.

ITALY.

Treaties with America, United States of, to Hungary.

Treaties of Italy with the following countries have been previously dealt with in this volume under:

America, United States of, No. 32.	Dominican Republic, No. 277.
Argentina, No. 58.	Ecuador, No. 280.
Austria, No. 63.	Egypt (under British Empire), No. 206.
Austria-Hungary, No. 75.	France, No. 290.
Belgium, No. 105.	Germany, Nos. 314 and 319.
Bolivia, No. 131.	Great Britain (under British Em- pire), No. 166.
Brazil, No. 138.	Greece, No. 339.
Bulgaria, Nos. 210 and 212.	Guatemala, No. 350.
Chile, No. 223.	Honduras, No. 352.
China, No. 232.	Hungary, No. 355.
Colombia, No. 248.	
Cuba, No. 256.	
Denmark, No. 263.	

Treaty with Japan.

No. 356.

Treaty of commerce and navigation between Italy and Japan.

SIGNED 25 Nov., 1912, at Rome. Ratifications exchanged 17 June, 1913, at Tokyo. Effective from 18 June, 1913, until 31 Dec., 1917, and thereafter terminable on one year's notice from either party. (Art. XXI.)

TEXT: French, B. F. S. P. 106:1080-7; Martens 94:435-45; Italian, Atti Parl. No. 1269 a.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) in regard to all privileges, favors, or immunities which either country may accord in matters concerning commerce, navigation, and industry. (Art. XIX.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Exercise of industries, trades, or professions, and pursuit of scientific studies and investigations in either country. (Art. I, 3.)

(b) Acquisition and possession of any movable or immovable property which laws of the country permit foreigners to acquire and possess, on condition of reciprocity. (Art. I, 5.)

(c) Access with ships and cargoes to all places, ports, and rivers open to foreign commerce in either country. (Art. IV.)

(d) All duties levied by either country on importation of products of the other (Art. V); except certain silk textiles specified (Art. XX).

(e) Duties or charges levied by either country on exportation of any article to the other (Art. V).

(f) Exceptional prohibitions or restrictions imposed by either country against imports, exports, or transit, for reasons noted under IV *f* below (Art. IX).

(g) Treatment by either country of merchants, manufacturers, and commercial travelers from the other making purchases or booking orders with or without samples, with special reference to taxes and facilities relating thereto. (Art. X.)

(h) All facilities, privileges, and immunities accorded in territorial waters of either country to ships of the other charged with a regular postal service, whether owned by the State or subsidized for that purpose. (Art. XVI.)

(i) Exemption of each other's citizens from all compulsory military service by land or sea, and from contributions in lieu of personal service. (Art. II.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) All charges, imposts, taxes, or contributions of whatever nature payable in either country by subjects of the other. (Art. I, 7.)

(b) Any forced loans and military requisitions or contributions incumbent on possession or occupation of real property in either country. (Art. II.)

(c) All dues for tonnage, transit, canal, port, pilotage, lighthouse, quarantine, and similar dues or charges, under whatever name and no matter by whom or how levied in territorial waters of either country on ships of the other, from whatever place arriving, and whatever their destination. (Art. XV.)

III. National treatment is reciprocally pledged in regard to:

(a) Travel and residence in territories of either country, in all respects. (Art. I, 1.)

(b) Exercise of commerce and industry, and traffic in all articles of lawful commerce in either country, personally or by agents, singly or associated with foreigners or nationals. (Art. I, 2.)

(c) Disposal in any manner of all kinds of property lawfully acquired; including export of property or proceeds thereof, and all duties relating thereto. (Art. I, 5.)

(*d*) All rights and privileges concerning administration of justice in either country, with special reference to protection of persons and property, open access to courts of justice, and employment of advocates or others therein. (Art. I, 6.)

(*e*) Exemption of dwellings and other premises from domiciliary visits or search, and of books, papers, or accounts from inspection or examination; except under conditions and with legal forms applying to citizens of the country. (Art. III.)

(*f*) Internal duties on production, fabrication, or consumption, whether levied for the State, local authorities, or for corporations in either country, must not for any reason bear more heavily on imported products of the other country than on similar articles of native origin. (Art. VII.)

(*g*) All articles legally importable into or exportable from either country in its own vessels, from whatever place arriving and whatever the destination, may likewise be imported or exported in ships of the other, subject to the same duties or charges, and the same bounties or drawbacks, as when carried in national ships. (Art. XIII.)

(*h*) All privileges or facilities in regard to the stationing, loading, and unloading of ships in territorial waters of either country. (Art. XIV.)

(*i*) Assistance, protection, and immunities accorded by either country to vessels in case of damage or shipwreck, so far as duties of neutrality permit. (Art. XVIII.)

IV. Other provisions.

(*a*) Right of subjects of either nation, with their families, to enter any territories of the other (Art. I), and (on condition of conforming to the laws of the country) right to possess or hire and occupy houses, factories, warehouses, shops, and all necessary premises, and to lease lands for residential, commercial, and industrial, and other lawful uses (Art. I, 4).

(*b*) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from all contributions in lieu of personal service, and from all forced loans and military requisitions or contributions; except as noted under II *b* above. (Art. II.)

(*c*) Specified import duties to be levied in either country on products of the other listed in tariffs A and B annexed to the treaty. (Art. V.)

(*d*) Products of either country passing in transit through territories of the other in accordance with its laws are reciprocally

exempt from all transit duties, whether passing direct or unloaded, stored and reloaded. (Art. VI.)

(e) Products of either country imported into territories of the other for bonding or transit are exempt from all internal duties. (Art. VII.)

(f) Neither country to obstruct commerce with the other by prohibitions or restrictions against importation, exportation, or transit, except for the following reasons applied to all countries under the same conditions:

(1) Provisions of war in exceptional circumstances. (Art. IX, 1.)

(2) Considerations of public safety or health. (Art. IX, 2.)

(3) State monopolies. (Art. IX, 3.)

(4) Sanitary measures to protect animals or useful plants from diseases and from noxious insects or parasites. (Art. IX, 4.)

(5) Application to imported products of all prohibitions or restrictions imposed by internal laws of either country on domestic production, sale, or transportation of similar national products. (Art. IX, 5.)

(g) Temporary duty-free admission by either country of commercial travelers' samples from the other, subject to customs regulations and formalities relating thereto. (Art. X.)

(h) Stock companies and other commercial industrial or financial associations duly established in either country are authorized to exercise their rights in the other, with special reference to actions in courts of justice. (Art. XII.)

(i) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage, but coasting trade is reserved for regulation by the laws of each country. (Art. XVII.)

V. Exceptions.—Stipulations of this treaty do not apply to:

(a) The coasting trade of both countries, which is to be regulated by their respective laws. (Art. XVII.)

(b) The fishing industry in territorial waters of either country, with special reference to importation of products of the national fisheries, or of fisheries assimilated thereto in this respect. (Art. XX, 1.)

(c) Tariff concessions granted exceptionally to bordering States to facilitate frontier traffic. (Art. XX, 2.)

(d) Encouragements accorded to the national merchant marine. (Art. XX, 3.)

Treaty with Liberia.

No. 357.

Treaty of friendship, commerce, and navigation between Italy and Liberia.

SIGNED 23 Oct., 1862, at London. Effective from 6 May, 1863, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XII.)

TEXT: French, Italy Tr. 1: 146-52; B. F. S. P. 65: 983-7.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any favor, privileges, or immunity which either country may grant in matters of commerce and navigation to subjects of any other State. (Art. IX.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to enter all ports, places, and rivers open to foreign commerce in the other, and all other rights or privileges conceded to foreigners in either country. (Arts. II and XIII.)

(b) Duties imposed by either country on merchandise imported from the other in vessels of any nationality, or imported in ships of the other from any source. (Art. IV.)

(c) All favors or privileges concerning exportation of products of either country by subjects or in ships of the other. (Art. IV.)

(d) Protection and privileges accorded by either country to consular officers with regard to their persons and official duties. (Art. X.)

II. National treatment is reciprocally pledged in regard to:

(a) Possession, disposal, and transmission of, or succession to, personal property of every description, by will or otherwise, and all taxes or imports relating thereto. (Art. II.)

(b) All tonnage dues, and all other duties, charges, or taxes of any kind imposed by either country on ships of the other, or on merchandise imported or exported therein; except special privileges which either country may accord to its own flag with regard to importation of salt and of products of the national fisheries. (Art. III.)

(c) Protection and assistance to be accorded by either country to ships of the other, and their officers, passengers, and crews; with special reference to protection of vessels from pillage, and assistance to vessels seeking refuge from damage or shipwreck. (Art. VI.)

III. Other provisions.

(a) Right of subjects of either country to reside and trade throughout the territories of the other, with complete protection for persons and property, and without being hampered or restricted by any

monopoly, contract, or exclusive privilege of purchase or sale. (Art. II.)

(b) Merchandise coming from Italy in vessels of any nationality, or coming from any place in Italian vessels, shall not be prohibited from importation into Liberia. (Art. IV.)

(c) In case the Liberian Government should undertake to trade in certain articles for revenue purposes, private merchants may continue to import such articles without paying duties greater than the difference between cost price and the price fixed by the Liberian Government for sale of these articles. And in case the Government fixes the price of any Liberian products, any merchants in Liberia may, on paying the taxes, present such products to the treasury at the Government price. (Art. V.)

(d) Freedom of conscience in religious matters is reciprocally pledged by either country to subjects of the other. (Art. VII.)

(e) Provisions concerning prohibition of Negro slave trade (Art. VIII), and consular intervention for recovery of seamen deserters (Art. XI).

(f) Each country reserves the right to impose restrictions by law on vessels of the other engaging in commercial transactions at ports to be designated. (Art. XIII.)

Treaty with Mexico.

No. 358.

Treaty of friendship, commerce, and navigation between Italy and Mexico.

SIGNED 16 Apr., 1890, at Mexico. Effective from 23 July, 1891, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XXVIII.)

TEXT: Italian, Italy Tr. 1911, I: 594-604; Spanish, Mexico Tr. Vig. 2: 8-22; English (transl.), B. F. S. P. 82: 698-706.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any privilege, favor, or immunity which either country may grant to the citizens of any other State in all matters relating to commerce and navigation. (Art. II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment by either country of imported products of the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of duties, whether general, municipal, or local. (Art. III.)

(b) Any duties imposed by either country on exportation of any merchandise to the other. (Art. III.)

(*c*) Any prohibitions or restrictions imposed by either country against the other regarding importation, exportation, reexportation, or transit, except in the following cases:

(1) Restrictions applied from sanitary motives.

(2) Measures to prevent spread of epizootic diseases among cattle or destruction of crops.

(3) Prohibitions or restrictions on account of war.

(4) Transit of articles prohibited by special legislation in either country.

(5) Special authorizations which either party may require for transit of arms and munitions of war. (Art. III.)

(*d*) All that relates to local dues, customs, formalities, brokerage, patterns, or samples introduced by commercial travelers, and all other matters connected with trade. (Art. III.)

(*e*) Right to enter any ports, rivers, cities, and other places open to foreign subjects or vessels in either country or its possessions. (Art. IV.)

(*f*) Treatment in either country of literary and artistic property of citizens of the other. (Art. IV.)

(*g*) All that concerns acquisition or possession of immovable property in either country. (Art. VIII.)

(*h*) Application of laws of either country to resident citizens of the other, with special reference to laws determining rights and obligations of foreigners. (Art. VIII.)

(*i*) All privileges, favors, and immunities which either country may concede to diplomatic agents. (Art. XII.)

(*j*) Application of stipulated limit of territorial jurisdiction (20 kilometers from line of lowest tide) to vessels of either country on coasts of the other. (Art. XIII.)

(*k*) All privileges, favors, or advantages concerning local treatment of vessels of either country in ports or waters of the other, such as stationing, loading, and unloading of ships, and formalities or arrangements affecting merchant vessels and their crews or cargoes; also all taxes or charges of whatever kind, with special reference to dues for tonnage, port, lighthouse, pilotage, quarantine, and any other charges affecting the hull of the ship. (Art. XIV.)

(*l*) Any duties payable by vessels of either country loading or unloading foreign cargo at different ports of the other on the same voyage, but coasting trade is expressly excepted. (Art. XVI.)

(*m*) Ports of either country where warships of the other may enter and refit, and all regulations, honors, advantages, privileges, and exemptions relating thereto. (Art. XXI.)

(*n*) All privileges, immunities, and favors accorded to mail boats of either country charged with a postal service, including mail boats of companies subsidized by either party. (Art. XXII.)

(o) Rights, privileges, and liberties of Mexican citizens in the colonies and possessions of Italy, in matters of trade and navigation. (Art. XXIII.)

(p) All rights, privileges, and immunities conceded by either country to consular officers, until conclusion of a consular convention between the two countries. (Art. XXIV.)

II. National or most-favored-nation treatment (at claimant's option) is reciprocally pledged regarding any charges or taxes imposed by either country on real and personal property of citizens of the other. (Art. IX.)

III. National treatment is reciprocally pledged in regard to:

(a) Protection and security of persons and property of citizens of either country traveling or residing in any part of the other. (Art. IV.)

(b) Right of citizens of either country to exercise their trade or profession in the other; to carry on business by wholesale or retail; to rent or acquire houses, warehouses, and other establishments or grounds, and to manage their affairs in person or otherwise; without paying other or higher dues, taxes, charges, contributions, duties, or imposts of any kind than native citizens pay. (Art. IV.)

(c) All rights concerning patents for inventions, labels, trademarks, and designs in either country. (Art. IV.)

(d) Exemption in either country of dwellings and other premises from domiciliary visits or search, and of books, papers, or accounts from inspection or examination, except under conditions and with the legal forms prescribed by law for natives of the country. (Art. V.)

(e) All rights, privileges, and conditions concerning protection in either country of persons and property of citizens of the other, including access to courts of justice and employment of advocates or others therein. (Art. VI.)

(f) Right of citizens of either country to acquire, possess, and transmit personal property in the other, by will or otherwise in any manner, and all succession or other duties relating thereto. (Art. VIII.)

(g) Legal forms and procedure to be applied in either country to citizens of the other taking possession of inherited property of any kind, real or personal. (Art. VIII.)

(h) Any requisitions, forced loans, or contributions imposed by either country on landed property for military purposes. (Art. IX.)

(i) Any charges or imposts levied by either country on property of any kind belonging to citizens of the other, in case of war between the two countries. (Art. XI.)

(j) Salvage or other expenses payable by vessels of either country stranded or wrecked on coasts of the other, and duties payable on salvaged merchandise cleared for consumption. (Art. XIX.)

IV. Other provisions.

(a) Complete protection of persons and property of citizens of either country in the other. (Art. VI.)

(b) Judicial assistance is assured by either country to indigent citizens of the other, subject to the laws of the country in which the assistance is claimed. (Art. VII.)

(c) Citizens of either country are exempt in the other from all personal military service by land or sea, and from all requisitions, contributions, or forced loans, except those levied on landed property. (Art. IX.)

(d) Freedom of conscience and religion in either country for citizens of the other, subject to constitution and laws of the land. (Art. X.)

(e) In case of war between the two countries, citizens of either may continue their commerce or other occupation in the other without interruption so long as they observe the laws. In case their conduct necessitates expulsion from the country, sufficient time shall be allowed them to wind up their affairs; their property of all kinds to be exempt from embargo, sequestration, or confiscation. (Art. XI.)

(f) Neither country to be responsible for damages or exactions suffered by citizens of the other during insurrections or civil war from insurgents or wild hordes not under control of the Government, except in case of fault or neglect on the part of authorities concerned. (Art. XII.)

(g) Policing of ports, loading, and unloading of ships and custody of merchandise and effects to be subject to laws of each country. (Art. XIII.)

(h) Navigation, tonnage, and other dues imposed on the hull of the ship in ports of either country shall be levied according to the register of the vessel. (Art. XV.)

(i) Assistance to be given to vessels of either country seeking refuge in ports of the other from damage or shipwreck. (Art. XVIII.)

(j) Nationality of merchant vessels under flag of either country to be recognized by the other if carrying ship's papers required by law. (Art. XX.)

(k) Declaration of change of flag is required in case of transfer of vessels of either country to nationality of the other, unless sold by judicial order. (Art. XXII.)

(l) Whenever engagements of Italian emigrants are made for service in Mexico, by its authority or in virtue of concessions given by it, the Mexican Government undertakes to see that the proposed con-

tracts are equitable and scrupulously carried out; and that the transportation, landing, and settling of said emigrants is carried out according to the principles of humanity, safety, and hygiene; also to afford these emigrants the greatest protection against fraud or abuse. (Art. XXV.)

(m) Arbitration of disputes concerning interpretation or execution of this treaty and statement of procedure relating thereto. (Art. XXVII.)

V. Exceptions.—Provisions of this treaty do not apply to the coasting trade, nor to matters concerning the fishing industry of either country, which are reserved for regulation by the laws of each country. (Arts. XVI, XVII.)

VI. Application to colonies.

(a) The provisions of this treaty apply to foreign possessions or colonies of Italy on whose behalf notice to that effect is given to Mexico at any time during the life of this treaty. (Art. XXVI.)

(b) Mexican citizens are assured most-favored-nation rights, privileges, and liberties in the colonies and possessions of Italy in matters of trade and navigation. (Art. XXIII.)

(c) Inhabitants of the colonies and possessions of Italy have in Mexico the same rights, privileges, and liberties in matters of trade and navigation as are conceded by this treaty to Italians, their commerce, and their vessels. (Ibid.)

Treaty with Montenegro.

No. 359.

Notes to establish a provisional commercial agreement between Italy and Montenegro.

SIGNED 21/22 Dec., 1903, at Cetinje. Prolonged by notes of 10–11 June, 1904, for successive periods of six months, until terminated by notice from either party one month before expiration of any such period.

TEXT: French, Italy Tr. 17: 279–80, 334–5; B. F. S. P. 98: 772–4.

Most-favored-nation treatment is pledged by Montenegro to Italian products; with special reference to application of the new Montenegrin minimum tariff to products of Italy, and of the Italian conventional tariff in favor of Montenegro.

Treaty with the Netherlands.

No. 360.

Treaty of commerce and navigation between Italy and the Netherlands.

SIGNED 24 Nov., 1863, at Turin. Duration indefinite. Terminable on 12 months' notice from either party. (Art. VI.)

TEXT: French, Italy Tr. 1: 346–9; B. F. S. P. 57: 322–4.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) regarding personal status of each other's

subjects in either country, in all matters except those in which national treatment is reciprocally pledged by Article I of this treaty, as noted below under II *a*.

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment in either country of products of the other, from whatever place arriving, and of any merchandise imported from the other (without distinction of origin); with special reference to payment of duties, under whatever name. (Art. II.)

(b) All matters relating to transit and exportation. (Art. II.)

(c) All privileges, exemptions, and immunities accorded to consular officers in either country. (Art. V.)

II. National treatment is reciprocally pledged (subject to exceptions noted below) in regard to:

(a) All matters concerning exercise of commerce, industry, and professions; payment of taxes; exercise of religion; and right to acquire and dispose of, or succeed to, movable or immovable property of all kinds, by will or otherwise. (Art. I.)

(b) Treatment in either country of ships of the other and their cargoes, in all respects and in all circumstances. (Art. III.)

III. Other provisions relate to arrest and return of seamen deserters by consular officers. (Art. VI.)

IV. Exceptions.—The most-favored-nation and national treatment provisions of this treaty apply to Italian subjects, products, merchandise, and vessels in the Netherland colonies, except with regard to advantages accorded to Asiatic nations of the Eastern Archipelago. (Art. IV.)

Treaty with Nicaragua.

No. 361.

Treaty of friendship, commerce, and navigation between Italy and Nicaragua.

SIGNED 25 Jan., 1906, at Managua. Ratifications exchanged 23 Sept., 1906, at Paris. Effective from exchange of ratifications for 10 years, and thereafter terminable on 12 months' notice from either party. (Art. XXVII.)

TEXT: Italian, Italy Tr. 1911, I: 616-26; Martens 85: 268-77; Spanish, Nicaragua Conv. Int. 1913: 109-27; English (transl.), B. F. S. P. 100: 1117-26.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) in respect of all rights, privileges, concessions, liberties, favors, immunities, and exemptions in matters of commerce and navigation, and all contributions or taxes relating thereto. (Arts. I, XXV.)

Most-favored-nation treatment is further reciprocally pledged in regard to the following matters:

(a) Treatment of warships of either nation in ports of the other. (Art. I.)

(b) All articles which may be legally imported into, or exported from, either country in any foreign vessels may likewise be imported or exported in Italian or Nicaraguan vessels, from whatever place arriving and for any destination, without paying other or higher duties, and subject to the same immunities, bonuses, and drawbacks as when carried in ships of the most-favored nation; this complete equality of treatment to apply also with reference to transit of any merchandise through either of the contracting countries. (Art. VI.)

(c) All duties levied by either country on importation or exportation of products of the other, including additional governmental and municipal imposts of whatever kind. (Ibid.)

(d) All that relates to berthing, loading, or unloading of vessels in either country in ports, bays, and waters of the other, and all regulations affecting merchant vessels and their crews or cargoes. (Art. VIII.)

(e) Assistance to be given by either country to indigent citizens of the other, according to their respective laws. (Art. XXIII.)

(f) All rights, prerogatives, and immunities accorded by either country to consular officers. (Art. XXIV.)

II. National treatment is reciprocally pledged in general terms respecting all duties, contributions, or taxes and all privileges, immunities, and other favors relating to commerce and industry in either country. (Art. II.)

National treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to travel and reside in the other and to exercise industry and commerce therein by wholesale or retail, with special reference to transportation of merchandise and money and receiving merchandise on deposit from any source. (Art. II.)

(b) Right of citizens of either country to conduct all kinds of business in the other and present declarations at the customhouse, personally or by agents, and to fix prices of merchandise and objects of any kind, in accordance with laws and regulations of the country. (Art. II.)

(c) Constant protection and security of persons, properties, and interests of citizens of either country in the other and all privileges or conditions relating thereto. (Art. III.)

(d) All dues for tonnage, port, lighthouse, quarantine, and other dues of whatever kind imposed on merchant vessels of either nation in ports of the other, from whatever place arriving and whatever their destination. (Art. VIII.)

(e) Assistance from local authorities in either country to citizens and vessels of the other in case of damage or shipwreck. (Art. IX.)

(f) Exercise of civil rights in either country by citizens of the other, with special reference to possession and disposal of, or succession to, property of all kinds, real or personal, by will or otherwise; and all taxes or dues relating thereto. (Art. XIII.)

(g) Citizens of either country to enjoy in the other all rights accorded by its laws in regard to ownership of inventions and industrial discoveries, designs, models, trade-marks, or literary and artistic works. (Art. XVIII.)

(h) All rights and privileges concerning access to courts of justice and judicial procedure, including free judicial assistance in either country to indigent citizens of the other. (Art. XIX.)

III. Other provisions.

(a) Exemption of each other's citizens from compulsory military service by land or sea and from all war contributions, requisitions, or special forced loans. (Art. III.)

(b) When contracts of service are made with Italian immigrants under conditions stated, Nicaragua undertakes to see that such contracts are strictly complied with; and agrees to punish in accordance with the laws any abuse or deception committed to the prejudice of the immigrants. (Art. IV.)

(c) Exemption of each other's citizens, their ships and other property from sequestration, embargo, or detention for military expeditions, or for any public use. (Art. V.)

(d) Restoration of ships, merchandise, and effects seized by pirates and found in ports or waters of either country. (Art. XI.)

(e) Nationality of merchant vessels of either country to be determined by papers required by its national laws. (Art. XII.)

(f) Extensive and detailed provisions concerning privileges, functions, and duties of consular officers of either country with regard to estates and effects left by their deceased nationals in the other. (Arts. XIV-XVII.)

(g) Detailed provisions concerning validity in both countries of judgments in civil and commercial cases, and of notarial acts, on condition of conforming to the procedure described. (Arts. XX-XXII.)

(h) Arbitration of disputes concerning interpretation or violation of this treaty. (Art. XXVI.)

IV. Exceptions.

(a) Matters relating to the coasting trade and fisheries are reserved for regulation by the laws of each country. (Art. VII.)

(b) Most-favored-nation stipulations of Article VI (noted under I b-c above) do not apply to privileges which Nicaragua may accord to other Central American States. (Art. VI.)

Treaty with Norway.

See Sweden and Norway, No. 371.

Treaty with Panama.

See No. 248.

Treaty with Paraguay.

No. 362.

Treaty of friendship, commerce, and navigation between Italy and Paraguay.

SIGNED 22 Aug., 1893, at Asuncion. Effective from 14 June, 1894, for four years, and thereafter terminable on 12 months' notice by either party. (Art. 24.)

TEXT: Italian, Italy Tr. 13: 275-86; Martens, 72: 507-13.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all rights, privileges, liberties, favors, concessions, immunities, and exemptions relating to commerce and navigation (Art. 1), or to any other object contemplated in this treaty. (Art. 21.)

Most-favored-nation treatment is further reciprocally pledged in regard to the following matters:

(a) Free and secure access with ships and cargoes to all places, ports, and rivers open to foreign commerce in either country, with special reference to navigation of the rivers Paraguay and Parana by Italian vessels. (Art. 1.)

(b) Whatever articles of commerce may be lawfully imported into or exported from either country in vessels of any foreign State, may likewise be imported or exported in vessels of either contracting country, from whatever place arriving and for any destination, without paying other or higher duties and subject to the same exemptions, bounties, and drawbacks as when carried in ships of the most-favored-nation. This complete equality of treatment to apply also with reference to transit of any merchandise through either of the contracting countries. (Art. 6.)

(c) Right of citizens of either country to engage in the coasting trade of the other, and all duties relating thereto. (Art. 8.)

(d) All dues for tonnage, port, light, pilotage, quarantine, and any other dues or charges whatever, imposed in ports of either country on merchant ships of the other, whether by the government, public officials, communes, corporations, or any other establishment. (Art. 9.)

(e) Assistance and treatment in either country of indigent citizens of the other, in accordance with the laws of each country. (Art. 20.)

(f) All rights, prerogatives, and immunities accorded by either country to consular officers. (Art. 22.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with reference to military contributions or requisitions incumbent on possession of landed property in either country. (Art. 3.)

III. National treatment is reciprocally pledged in respect to:

(a) All privileges, immunities, or other favors in matters of commerce and industry, and all taxes, duties, imposts, contributions, or restrictions relating thereto in either country. (Art. 2.)

(b) Right of citizens of either country to travel and reside in the other; to engage in commerce by wholesale or retail; to hire and occupy houses, warehouses, and shops, and conduct any lawful business in person or otherwise; with special reference to customs declarations and receiving consignments of merchandise, domestic or foreign. (Art. 2.)

(c) All rights and privileges concerning protection and security of each other's citizens in either country, as regards their persons, property, and interests. (Art. 3.)

(d) Assistance to be given by either country to ships of the other seeking refuge from damage or shipwreck. (Art. 10.)

(e) Exercise of civil rights in either country, with special reference to acquisition, possession, and disposal of, or succession to, all kinds of property in any manner whatever, and all taxes or imposts relating thereto. (Art. 14.)

(f) Protection of each other's citizens in all that concerns their rights of industrial property, such as patents, designs, and trademarks. (Art. 25.)

(g) Access to courts of justice in either country, and right to employ advocates or others therein; with special reference to any conditions, restrictions or taxes relating thereto, and free judicial assistance in proper cases. (Art. 16.)

IV. Other provisions.

(a) Paraguay undertakes to see that contracts with Italian emigrants enrolled for service in Paraguay are equitable, and are scrupulously carried out, and that the transportation and settlement of these immigrants are conducted according to principles of humanity, health, and safety; also to help them secure suitable indemnification for injuries suffered through deception or fraud. (Art. 4.)

(b) Exemption of each other's citizens and their ships, property, and effects from sequestration, embargo, or detention for military expeditions, or for any public purpose whatever. (Art. 5.)

(c) Neither country to grant any domestic monopoly or privilege to the injury of the commerce, navigation, or citizens of the other; except government monopolies or privileges in either country, and except patents for inventions, trade-marks, industrial designs or models, and special privileges or subventions which either nation

may consider expedient to grant to certain shipping lines for specified ends or purposes. (Art. 7.)

(d) Notarial Acts duly executed in either country to be equally valid in the other, upon conforming to procedure described. (Art. 19.)

(e) Arbitration of disputes concerning interpretation or violation of this treaty. (Art. 23.)

Treaty with Persia.

No. 363.

Treaty of friendship, commerce, and navigation between Italy and Persia.

SIGNED 24/29 Sept., 1862, at Teheran. Effective from 15 Dec., 1862, for 12 years, and thereafter until terminated by 1 year's notice from either party. (Art. VIII.)

TEXT: French. Italy Tr. 1911, II: 657-61; B. F. S. P. 57: 318-22; Persian, Persia Tr. 1908: 92-9.

I. Most-favored-nation treatment is reciprocally pledged in regard to:

(a) Reception and treatment by either country of ambassadors or ministers from the other and all prerogatives or immunities relating thereto. (Art. II.)

(b) Treatment by either country of resident nationals of the other in all respects, with special reference to protection of travelers, merchants, and manufacturers. (Art. III.)

(c) All duties imposed by either country on merchandise imported or exported by subjects of the other. (Art. IV.)

(d) Judicial procedure to be applied in either country to subjects of the other in matters of criminal jurisdiction, and to be applied in Italy for settlement of any disputes involving Persian subjects. (Art. V.)

(e) Privileges and immunities of consular officers of either country at their places of residence in the other. (Art. VII and addl. Art. III, attached.)

II. Other provisions.

(a) Right of subjects of either country to import or export any merchandise into or from the other, by land or sea, and to buy, sell, exchange, or transport the same throughout the territories of either nation, subject in matters of internal commerce to the laws of the country. (Art. III.)

(b) Jurisdiction of disputes arising in Persia between Italian subjects is vested in Italian consular authorities exclusively; disputes between Italians and Persians to be judged by a Persian tribunal in presence of an Italian consular representative; disputes between

Italians and other foreigners to be settled by their respective authorities. (Art. V.)

(c) Consular administration in either country of property left by deceased subjects of the other. (Art. VI.)

(d) Right of either country to appoint three consuls in the other, to reside at places named. (Art. VII.)

Treaty with Peru.

No. 364.

Treaty of friendship, commerce, and navigation between Italy and Peru.

SIGNED 23 Dec., 1874, at Lima. Effective from 7 Nov., 1878, for 10 years, and thereafter terminable on 12 months' notice by either party. (Art. 21.)

TEXT: Spanish, Peru Act. Int. 1916, No. 14; Italian, Italy Tr. 6: 609-19; Martens 56: 660-5; English (transl.), B. F. S. P. 65: 649-55.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting any particular favors or concessions accorded by either country in matters of commerce or navigation, or relating to any other objects named in this treaty (Art. 20); with special reference to treatment of war ships of either country in ports of the other (Art. 2).

II. National treatment is reciprocally pledged in respect to:

(a) Access with ships and cargoes to either country; except the coasting trade, which each country reserves for its own regulation. (Art. II.)

(b) Right of citizens of either country to exercise every kind of calling and lawful commerce in the other, personally or otherwise; and payment of any charges, taxes, or imposts relating thereto. (Art. III.)

(c) Protection of each other's citizens as regards their persons and property. (Art. IV.)

(d) Right to import, export, or reexport any articles of lawful commerce in vessels of either nation, and all duties, exemptions, bounties, premiums, or allowances relating thereto. (Art. V.)

(e) Assistance from local authorities in either country to citizens and vessels of the other seeking refuge from damage or shipwreck. (Art. VIII.)

(f) Security and protection of private property of each other's citizens in case of war between the two countries. (Art. XI.)

(g) Civil rights in either country, with special reference to acquisition, possession, and disposal of, or succession to, property of any kind, by will or otherwise; and all imposts or taxes on inheritance of property in either country. (Art. XVI.)

(h) Treatment of each other's citizens respecting access to courts of justice and judicial procedure in either country, and all conditions, restrictions, or charges relating thereto. (Art. XVII.)

(i) Sentences and ordinances in civil and commercial matters passed by tribunals of either country, and notarial acts of any kind, to have the same force in the other country as those of its own tribunals or notaries, on condition of conforming to the procedure described. (Arts. XVIII, XIX.)

(j) Liabilities of Italian fishermen and bargemen in ports, roadsteads, creeks, rivers, or other places in Peru; except service in the Peruvian army. (Addl. article.)

Treaty with Portugal.

No. 365.

Notes recording a commercial modus vivendi between Italy and Portugal.

SIGNED 9 May, 1911. at Lisbon. Effective until conclusion of a final convention. Terminable on three months' notice by either party.

TEXT: Italian, Boll. Leg. Dog. 29: 829; English (transl.), B. F. S. P. 105: 675-8.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) in all matters concerning importation, import duties, exportations, export duties, reexportation, reexport duties, customs operations, warehousing, transshipment of goods, drawbacks, and exercise of commerce and navigation in general, with special reference to importation of Marsala wine and vermouths from Italy, and importation of Port and Madeira from Portugal.

II. Other provisions.

(a) Italian wines in Portugal and Portuguese wines in Italy are subject, respectively, as regards importation, to the highest duties in force in each country (except Marsala and vermouths from Italy, and Port and Madeira from Portugal, as noted above).

(b) Portugal undertakes to prohibit the importation, distribution, exhibition, and sale in Portugal of any wine whatever with the designation "Marsala" or any similar name, unless shown by certificate of origin to be a product of Sicily or adjacent islands; and reciprocally, Italy engages to give similar protection in Italy to the designations "Port" and "Madeira." In cases of contravention, the respective goods to be confiscated in either country in accordance with its laws.

III. Exceptions.—Stipulations of this agreement do not apply to:

(a) Special advantages which Portugal may grant to Spain or Brazil.

(b) Special advantages which either country may grant exclusively to bordering States to facilitate frontier traffic.

(c) Imports from Italy into Portuguese colonies, and imports from Portugal and the adjacent islands into Italian colonies.

(d) Imports between Portuguese colonies and Italian colonies, and vice versa.

IV. Application to colonies.—The most-favored-nation provisions of this agreement are applicable to the adjacent islands of Portugal (Madeira, Porto Santo, and the Azores). Products of colonies of either country imported into the other are treated, for purposes of importation, like products of the mother country; but importations from either country or its colonies into colonies of the other are excluded from this agreement, as noted above under III *c-d*.

Treaty with Rumania.

No. 366.

Treaty of commerce, customs, and navigation between Italy and Rumania.

SIGNED 5 Dec., 1906, at Bucharest. Ratifications exchanged there 1 Apr., 1907. Effective until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party.^a (Art. XIX.)

TEXT: Italy Tr. 1911, I: 688-704; French, B. F. S. P. 101: 379-389.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any favor, privilege, or immunity which either country may accord to any third power in matters relating to exercise of commerce, navigation, and industry; such as duties (amount, guaranty, and collection) on importation and exportation, and matters relating to transit, reexportation, warehousing, local dues, customs formalities, and transshipment of merchandise. (Art. VI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All rights concerning acquisition, possession, or alienation of real or personal property of any kind in either country. (Art. II.)

(b) Application of specified exceptional prohibitions which either country may impose against importation, exportation, or transit (Art. V); as noted below under IV *d*.

(c) Treatment of products of either country imported into the other, whether destined for consumption, warehousing, reexportation, or transit; with special reference to payment of duties. (Art. VII.)

(d) Any favor accorded by either country with regard to exportation, with special reference to export duties imposed by either country on exportation of any objects to the other. (Art. VIII.)

^a Terminated. See Appendix.

(e) Any favor which either country may concede with regard to rights and privileges of commercial, industrial, or financial companies, on condition of reciprocity. (Exchange of notes attached.¹⁵⁶)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in general terms respecting all rights, privileges, exemptions, immunities, and other favors which either country may grant in matters of commerce and industry; except as noted below under V b, and subject to special laws and regulations applying to all foreigners in either country in matters of police, public safety, and encouragement of national industry. (Art. I.)

National or most-favored-nation treatment (optional) is further pledged in regard to:

(a) All duties, taxes, imposts, or licenses concerning exercise of commerce and industry in either country (Art. I); except as noted below under V b.

(b) Exceptional charges and military contributions or requisitions incumbent on possession of landed property in either country. (Art. III.)

(c) Any special tax payable in either country by merchants, manufacturers, or commercial travelers from the other. (Art. IV.)

(d) Internal duties levied in either country on production or consumption, whether imposed by the State or by communes or corporations. Such duties must not bear more heavily on imported products of the other country than on similar articles of domestic or other foreign production. (Art. X.)

(e) Treatment by either country of vessels of the other and their cargoes, in all respects, from whatever place arriving and whatever their destination, and whatever the place of origin or destination of the cargoes (Art. XI and final protocol); except:

(1) Advantages which either country may accord to its national fisheries. (Ibid., 1.)

(2) The coasting trade of either country, which is reserved for regulation by their respective laws. (Ibid., 2.)

(f) All privileges, favors, or advantages relating to stationing, loading, or unloading of vessels in the ports, roadsteads, harbors, or basins of either country, including any formalities and arrangements affecting merchant vessels and their crews or cargoes. (Art. XIII.)

III. National treatment is reciprocally pledged in regard to:

(a) Payment of taxes, imposts, or charges of whatever kind relating to acquisition, possession, and disposal of, or succession to, property in either country: including duties on export of proceeds of property sold. (Art. II.)

¹⁵⁶ English, B. E., S. P. 101: 389-90.

(b) Any obligations, restrictions, imposts, or taxes imposed by either country on citizens of the other with regard to their persons or their property of any kind. (Art. III.)

(c) Treatment of citizens of either country proceeding to fairs or markets in the other, to exercise their commerce or sell their products, and payment of taxes relating thereto. (Art. IV.)

(d) All duties, taxes, or charges affecting the hull of the ship or its flag or cargo, imposed in ports of either country on ships of the other under whatever name, and no matter by whom or how levied. (Art. XII and final protocol.)

(e) Any dues payable by vessels of either country in ports of the other on cargo not discharged at that port. (Art. XIV.)

(f) All favors and immunities granted by laws of either country to stranded or shipwrecked vessels and their cargoes; with special reference to payment of salvage expenses. (Art. XVI.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all compulsory military services by land or sea, from all military requisitions or contributions, forced loans, and other charges occasioned by exigencies of war or other exceptional circumstances, and from obligation to accept judicial, administrative, or municipal offices; except as noted under V *a* below. (Art. III.)

(b) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise, and must be provided with a legitimation certificate in the form prescribed. (Art. IV and annex.)

(c) Exemption of commercial travelers' samples from import and export duties in either country, subject to customs regulations relating thereto. (Art. IV.)

(d) Neither country to obstruct its commerce with the other by prohibitions against importation, exportation, or transit; except for the following reasons applying to all other countries under the same conditions:

(1) Provisions of war in exceptional circumstances.

(2) Considerations of public security.

(3) Sanitary measures, or to protect animals and useful plants from disease, noxious insects, and parasites.

(4) Application to imported merchandise of internal laws prohibiting or restricting domestic production, sale, or transportation of similar articles of national production. (Art. V.)

(e) Products of either country enumerated in Tariffs A and B annexed to this treaty, when imported into the other, shall not pay other or higher duties than those specified in these tariffs. (Art. VII and final protocol.)

(f) Merchandise of any kind passing to or from either country is exempt in the other from all transit duties, whether going straight through, or unloaded, stored, and reloaded. (Art. IX.)

(g) Products of either country are exempt in the other from all internal duties when imported for warehousing or transit. (Art. X.)

(h) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage. But coasting trade is excepted. (Art. XI.)

(i) Exemption of vessels from all tonnage and clearance duties (except sanitary dues) in either country, under conditions stated. (Art. XV.)

(j) Merchandise salvaged in either country from ships of the other is exempt from all customs duties, unless released for domestic consumption. (Art. XVI.)

(k) Nationality of vessels to be recognized in accordance with ship's papers issued by the competent authorities under laws of each country. (Art. XVII.)

(l) Arbitration of disputes concerning interpretation or application of this treaty, and of questions concerning exercise of commerce between the two countries. Statement of procedure relating thereto. (Art. XVIII and final protocol.)

V. Exceptions.

(a) The exemption from military requisitions and charges noted under IV *a* above does not include exemption from charges and military contributions incumbent on possession of landed property in either country. (Art. III.)

(b) The provisions of this treaty concerning exercise of commerce and industry in either country do not apply to the itinerant industries, such as peddling, or soliciting orders from persons not engaged in commerce or industry. (Art. IV.)

(c) The most-favored-nation treatment noted above under I does not apply to favors which either country may accord to contiguous States to facilitate frontier traffic. (Art. VI.)

Treaty with Salvador.

No. 367.

Treaty of friendship, commerce, and navigation between Italy and Salvador.

SIGNED 27 Oct., 1860, at Turin. Effective from 14 Apr., 1861, for 10 years, and thereafter terminable on 12 months' notice by either party. (Art. XXXIII.) Terminated 9 May, 1871, but revived by exchange of notes of 9 and 17 Jan., 1911. (Salvador Pact. Int. 2:109-11.)

TEXT: Italian, Italy Tr. 1911, I: 730-41; French B. F. S. P. 61:1031-43; Spanish, Salvador Pact. Int. 2:96-111.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting all rights, liberties, privi-

leges, exemptions, or immunities granted by either country to diplomatic and consular agents, or to citizens, vessels, and merchandise; except privileges in matters of commerce which Salvador may grant to Spain or to Spanish-American countries. (Arts. XI and XXXI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Duties imposed by either country on importation of products of the other, or on exports to the other. (Art. XI.)

(b) Any formalities required by either country regarding certificates of origin of imported merchandise. (Art. XI.)

(c) Right to enter with ships and cargoes all places, ports, and rivers open to foreigners in either country. (Art. II.)

(d) Any restrictions concerning appointment of consular officers, and all privileges, exemptions, and immunities accorded to them by either country. (Arts. XXII, XXIII.)

(e) Any favors accorded by either country in respect to its coasting trade. (Art. II.)

(f) Treatment of war ships of either country in ports of the other, and all advantages relating thereto. (Art. XVII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in general terms respecting all charges, taxes, or imposts on real or personal property (Art. V), or imposed on attorneys, brokers, agents, etc., in either country (Art. III).

III. National treatment is reciprocally pledged in regard to:

(a) Right of citizens of either country to travel and reside in the other; to engage in lawful commerce in any capacity by wholesale or retail, in person or otherwise; to rent and possess stores and shops; to transport merchandise or money; and to receive consignments, domestic or foreign. Also all contributions, imposts, or obligations of whatever kind, general or local, relating to any of these; subject always to observing the laws of the country. (Art. III.)

(b) All rights, privileges, or conditions concerning protection of persons and property in either country, with special reference to judicial procedure and access to courts of justice in person or otherwise. (Art. IV.)

(c) Right of citizens of either country to own property of all kinds in the other, real or personal, and to dispose of the same, or succeed thereto, in any manner, by will or otherwise, with special reference to possession and disposal of inherited property in either country, and payment of any duties relating thereto. (Art. VIII.)

(d) All tonnage, lighthouse, port, pilotage, quarantine, or other dues affecting the hull of the ship, payable by vessels of either country on entering or leaving the ports of the other. (Art. XII.)

(e) Any duties payable by vessels of either country loading or discharging foreign cargo at different ports of the other on the same voyage. (Art. XIII.)

(f) Any charges or impositions imposed by either country on property of any kind, in case of rupture or war between the two countries. (Art. X.)

(g) All guarantees, liberties, and protection with regard to religious freedom are reciprocally assured to Catholic subjects in Salvador and to citizens of Salvador in Italy. (Art. VII.)

IV. Other provisions.

(a) Exemption of each other's citizens from all personal military service by land or sea, and from all forced loans and extraordinary military contributions or requisitions of any kind. (Art. V.)

(b) Exemption of each other's citizens from detention and of their ships, merchandise, and effects from requisition for military purposes, or for any public service, without just compensation previously guaranteed. (Art. VI.)

(c) In case of war between the two countries, citizens of either country may continue their business or occupation in the other without interruption so long as they commit no offense against the laws. In case they decide to leave the country, they shall have from six to twelve months to wind up their affairs and dispose of their properties, and safe conduct to port (Art. IX.), their property of all kinds to be exempt from seizure, sequestration, or confiscation (Art. X.).

(d) Commerce between the two countries not to be obstructed by any prohibition or restriction against importation or exportation of any article whatever. (Art. XI.)

(e) Vessels of either country damaged or shipwrecked on coasts of the other are exempt from navigation dues under conditions described, except specified dues for services rendered. (Art. XIV.) Salvaged merchandise is exempt from import duties, unless cleared for consumption in the country. (Art. XXX.)

(f) Nationality of merchant vessels to be determined by papers required by national laws. (Art. XV.)

(g) Exemption of consular archives and papers from seizure or examination by local authorities in either country. (Art. XXIV.)

(h) Administration by consular officers of estates of their deceased nationals. (Art. XXVI.)

(i) Consular jurisdiction with regard to policing of merchant ships of either country in ports of the other. (Art. XXVII.)

(j) Local authorities to assist consular officers in recovery of seamen deserters. (Art. XXVIII.)

(k) Detailed provisions concerning recovery of vessels captured by pirates (Art. XVI); neutrality (Art. XVIII); contraband and

blockade (Art. XIX); visit and search of vessels (Art. XX); and conduct of either country when the other is at war with any third power (Art. XXI.)

Treaty with the Serb-Croat-Slovene State.¹⁵⁷

No. 368.

Treaty of commerce and navigation between Italy and Serbia.

SIGNED 14 Jan., 1907, at Belgrade. Ratifications exchanged there 30 Mar., 1907. Effective until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. XV.)

TEXT: French, Italy Tr. 1911, II: 800-16; B. F. S. P. 101: 401-8.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any favor, privilege, or immunity which either country may accord to any third power in matters relating to exercise of commerce and industry; such as duties (amount, guaranty, and collection) on importation and exportation, and matters relating to transit, reexportation, warehousing, local dues, customs formalities, transshipment of merchandise, and transportation on railways. (Art. V.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Application of specified exceptional prohibitions which either country may impose against importation, exportation, or transit (Art. III), as noted below under IV *a*.

(b) Treatment of products of either country imported into the other, whether destined for consumption, warehousing, reexportation, or transit; with special reference to payment of duties (Art. VI); including customs surtaxes of any kind (Art. XI).

(c) Any favor accorded by either country with regard to exportation; with special reference to export duties imposed by either country on exportation of any objects to the other. (Art. VII.)

(d) Rights which stock companies and other commercial, industrial, and financial associations of either country may exercise in the other. (Art. XII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Any special tax payable in either country by merchants, manufacturers, or commercial travelers from the other. (Art. IV.)

(b) Treatment by either country of vessels of the other and their cargoes, in all respects, from whatever place arriving and whatever their destination, and whatever the place of origin or destination of the cargoes (Art. XIII); subject to exceptions and exclusions estab-

¹⁵⁷ See p. 771, note 197.

lished by laws and regulations of either country, with special reference to the fishing industry (Final protocol).

III. National treatment is reciprocally pledged in regard to:

(a) Treatment of citizens of either country making use in the other of specified equipments and services established for public use, such as roads, canals, locks, ferries, bridges, weighbridges, ports, landings, signals, cranes, pilotage, warehouses, and facilities for salvaging vessels or cargoes, whether such services are administered by the State or by private parties, with special reference to conditions or taxes relating thereto. No tax to be collected unless the equipment or service was actually used, except for lighting and pilotage, which are subject to special regulations. (Art. II.)

(b) Treatment of citizens of either country proceeding to fairs or markets in the other, to exercise their commerce or sell their products, with special reference to payment of taxes relating thereto. (Art. IV.)

(c) Internal duties levied in either country on production or consumption, whether imposed by the State or by communes or corporations. Such duties must not bear more heavily on imported products of the other country than on similar articles of domestic production. (Art. X and final protocol.)

IV. Other provisions.

(a) Neither country to obstruct its commerce with the other by prohibitions against importation, exportation, or transit, except for the following reasons, applying to all other countries under the same conditions:

(1) Provisions of war in exceptional circumstances.

(2) Considerations of public security.

(3) Objects of State monopoly in either country.

(4) Application to imported merchandise of internal laws prohibiting or restricting domestic production, sale, or transportation of similar articles of national production.

(5) Sanitary measures, or to protect animals and useful plants from disease, noxious insects, and parasites.

(6) Stipulations of the convention of 14 Jan., 1907,¹⁵⁸ concerning epizootic diseases, as regards animals, raw animal products, and other objects capable of spreading contagion. (Art. III.)

(b) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise, and must be provided with a legitimation certificate in the form prescribed. (Art. IV.)

¹⁵⁸ French, Italy Tr. 1911, II: 816-21.

(c) Exemption of commercial travelers' samples from import and export duties in either country, subject to customs regulations relating thereto. (Art. IV.)

(d) Products of either country enumerated in tariffs A and B annexed to this treaty, when imported into the other, shall not pay other or higher duties than those specified in these tariffs. (Art. VI.)

(e) Merchandise of any kind passing to or from either country is exempt in the other from all transit duties, whether going straight through, or unloaded, stored, and reloaded. (Art. IX.)

(f) Products of either country are exempt in the other from all internal duties when imported for warehousing or transit. (Art. X and final protocol.)

(g) Arbitration of disputes concerning interpretation or application of this treaty, and of questions concerning exercise of commerce between the two countries. Statement of procedure relating thereto. (Art. XIV and final protocol.)

V. Exceptions.

(a) Provisions of this treaty concerning exercise of commerce and industry in either country do not apply to itinerant industries, such as peddling, or soliciting orders from persons not engaged in commerce or industry. (Art. IV.)

(b) The most-favored-nation treatment noted above under I does not apply to favors which either country may accord to contiguous States to facilitate frontier traffic, nor to special favors resulting from a customs union. (Art. VIII.)

Treaty with Siam.

No. 369.

Treaty of friendship, commerce, and navigation between Italy and Siam.

SIGNED 3 Oct., 1868, at London. Effective from 1 Jan., 1871 for 10 years, and thereafter subject to revision on 12 months' notice from either party. (Art. XXVIII.)

TEXT: Italian, Italy Tr. 3: 241-58; English (authentic), B. F. S. P. 60: 773-83.

I. Most-favored-nation treatment is reciprocally pledged respecting all immunities and privileges accorded to consular officers by either country. (Art. VI.)

Most-favored-nation treatment is further pledged by Siam to the Italian Government and its subjects respecting free and equal participation in all privileges which Siam may grant to the Government or the subjects of any other nation (Art. XXVI); with special reference to the right of Italian subjects to reside at any places open to residence of foreigners in Siam (Art. XI).

II. Other provisions.

(a) Protection and assistance to be given to subjects of either country residing and trading in the other. (Art. I.)

(b) Appointment of diplomatic agents in either country, who shall enjoy all privileges and immunities belonging to them according to the law of nations. (Arts. II-V.)

(c) Protection by Siamese authorities of Italian subjects professing or teaching the Christian religion, so long as they behave peaceably and observe the laws. (Art. VII.)

(d) Registration of Italian residents in Siam; passports required for travel outside residential limits. (Art. VIII.)

(e) Jurisdiction of disputes between Italian subjects in Siam is vested in Italian authorities exclusively. Disputes involving subjects of both countries to be settled by the diplomatic representative, or jointly by consuls and Siamese authorities. Criminal cases to be judged by authorities of defendant's nation. (Art. IX and explanatory declaration annexed.)

(f) Right of Italian subjects in Siam to buy, sell, rent, or lease lands and plantations, and to buy or build houses within boundaries named and under conditions stated, Siam reserving the right to resume any lands not cultivated or improved within three years from date of concession, on restoration of purchase money. (Art. XI.)

(g) Right of Italian subjects to employ Siamese subjects as servants, or in any other capacity, subject to restrictions stated. (Art. XII.)

(h) Import duties in Siam on all articles (except opium) to be 3 per cent of market value of the goods, payable in goods or in money, at importer's option. Drawback of full amount to be allowed on goods reexported. (Art. XX.)

(i) Siam reserves right to restrict importation and sale of spirituous liquors, or any dangerous or unwholesome article. Gunpowder, firearms, and munitions of all kinds can only be imported on account of the Government. (Art. XX.)

(j) Exports of Siamese products to pay one impost only, under whatever name levied, as specified in tariff annexed. (Art. XX.)

(k) Italian merchants may purchase directly from producers and sell directly to purchaser. (Art. XX.)

(l) Export of salt, rice, and fish may be prohibited when scarcity is apprehended. (Art. XXI.)

(m) Right of Italian subjects to construct ships in Siam on permission from Siamese authorities. (Art. XXII.)

(n) Detailed provisions concerning recovery of fugitives from justice (Art. X); exemption of Italian ships from requisition for public or private service (Art. XIII); piracy in Siamese waters (Art. XIV); assistance to Italian vessels seeking refuge from damage

or shipwreck (Art. XV); neutrality and blockade (Art. XVI); tonnage dues (Art. XXIV); and arbitration of disputes between the two countries (Art. XXVII).

(o) Regulations for conducting Italian commerce in Siam. (Annex.)

(p) Tariffs annexed to the treaty, specifying export and inland duties to be levied in Siam on articles named.

Treaty with Spain.

No. 370.

Convention of commerce and navigation between Italy and Spain.

SIGNED 30 Mar., 1914, at Madrid. Ratifications exchanged there 13 July, 1914. Denounced by Spain 31 Dec., 1917, but extended from time to time, and now terminable on three months' notice by either party.^a

TEXT: French, B. F. S. P. 107:947-50; Italian, G. U. 1914, No. 172.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) regarding all privileges, favors, and immunities of whatever kind which either country may accord to subjects of any other State; with special reference to establishment of each other's nationals, enjoyment of civil rights, actions in courts of justice, exercise of commerce, industry, trades and professions, and payment of taxes relating thereto; also importation, exportation, transit, navigation, and transportation. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Lowest tariffs to be applied by either country to importation of products of the other (Art. II), except wines other than varieties specified below under IV f.

(b) Duties imposed by either country on exports to the other, and any favors regarding exportation from either country. (Art. III.)

II. National treatment is reciprocally pledged with regard to internal duties on production or consumption, whether levied for the State or for local authorities or corporations in either country. These must not under any conditions bear more heavily on products of the other country than on similar articles of native origin. (Art. V.)

III. Other provisions.

(a) Import duties imposed by either country on products of the other listed in schedules A and B annexed to this convention must not exceed those specified in these schedules. (Art. II.)

(b) Merchandise of any kind passing to or from either country is reciprocally exempt from all transit duties in the other, whether going straight through or unloaded, stored, and reloaded. (Art. IV.)

^a Terminated. See Appendix.

(c) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage, but coasting trade is excepted. (Art. VII, 1.)

IV. Exceptions.—The provisions of this treaty do not apply to:

(a) The coasting trade of both countries which is reserved for regulation by their respective laws. (Art. VII, 1.)

(b) Tariff concessions which either country may accord exceptionally to bordering States to facilitate frontier traffic (Art. VII, 2); with special reference to concessions which Spain may accord to Portugal (Art. VII, 5).

(c) Encouragements which either country may accord to its national merchant marine. (Art. VII, 3.)

(d) Fisheries in territorial waters of either country; also towage, salvage, and similar maritime services in ports, roadsteads, and coasts of either country. (Art. VII, 4.)

(e) Concessions resulting from special conventions of either country with third powers regarding validity of academic titles. (Art. VII, 5.)

(f) The lowest import duties referred to above under I *a* can not be claimed for wines, except for Italian Marsala, Malvasia, and vermouth on importation into Spain, and for Spanish Jerez, Tarragona, and Malaga imported into Italy. (Art. VI.)

Treaty with Sweden and Norway.

No. 371.

Treaty of commerce and navigation between Italy and Sweden and Norway.

SIGNED 14 June, 1862, at Turin. Effective until 14 June, 1872, and thereafter until terminated by 12 months' notice from either party. (Art. XIV.)

TEXT: French, Italy Tr. 1:103-10; B. F. S. P. 57:313-18; Sweden Tr. 1910:831-5; Norwegian. Norway Tr. 1914:86-91.

I. Most-favored-nation treatment is reciprocally pledged in general terms regarding all facilities or advantages which either country may accord in matters of commerce and navigation. (Art. VII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Customs duties and other imposts levied by either country on products of the other, imported by sea or by land; it being understood that this stipulation shall not apply to ships constructed in either country and acquired by subjects of the other. (Art. I.)

(b) All privileges and powers accorded to consular officers by either country. (Art. VIII.)

II. National treatment is reciprocally pledged in regard to:

(a) Treatment of vessels of either country in ports of the other from whatever place arriving, with special reference to port, tonnage, pilotage, and all other dues or charges under whatever name, whether

levied for the State, for towns, or for private establishments of any kind. (Arts. II and V.)

(b) Treatment of each other's vessels in all matters concerning coastwise commerce and navigation of either country. (Art. III.)

(c) Importation and exportation. Any objects of commerce permitted by law to be imported, stored, and warehoused in ports of either country, from whatever place arriving, or permitted to be exported or reexported from either country in its own vessels, may likewise be imported, exported, or reexported in ships of the other without paying higher duties under whatever name, and subject to the same privileges, benefits, reductions, concessions, and restitutions, as when carried in national vessels. (Arts. V, VI.)

(d) Dues for salvage and expenses of quarantine imposed by either country on damaged or shipwrecked vessels of the other. (Art. X.)

(e) Equal treatment of vessels. No preference to be given directly or indirectly by either country, nor by any company, corporation, or agency acting in its name or under its authority, for purchase of any product of either country imported into the other, in consideration of the nationality of the vessel importing the same. (Art. XII.)

III. Other provisions.

(a) Nationality of vessels to be recognized by either country if carrying ship's papers issued by competent authorities of the other. (Art. IV.)

(b) Seamen of either nation deserting in territories of the other to be arrested and returned on request from the consul. (Art. IX.)

(c) Assistance and protection to each other's vessels seeking refuge from damage or shipwreck. (Art. X.)

(d) Subjects of either country inheriting property in the other from their own nationals may succeed thereto, by will or otherwise, and may take possession thereof or dispose of the same at will, without paying other duties to the Government than are paid by inhabitants of the country where the property is situated. (Art. XIII.)

Treaty with Switzerland.

No. 372.

Treaty of commerce between Italy and Switzerland.

SIGNED 13 July, 1904, at Rome. Originally terminable after 31 Dec., 1917, on 12 months' notice from either party. (Art. XX.) Denounced by Italy, but extended from time to time, and now terminable by Italy on one month's notice.* (Rap. Con. Fed. 1919:5.)

TEXT: French, Italy Tr. 17:336-96; B. F. S. P. 98:1071-1080.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms respecting all privileges or favors which either country may accord in matters concerning importation,

* Terminated. See Appendix.

exportation, and transit: with special reference to payment of duties (amount, guaranty, and manner of collection), warehousing in bond, internal taxes, customs formalities, and clearances, and excise or consumption duties levied in either country by the State, or by provinces, cantons, or communes, except favors which either country may accord to other bordering States to facilitate frontier traffic. (Arts. I and III.)

II. National treatment is reciprocally pledged in regard to:

(a) Duties imposed by either country on production or consumption. These must not bear more heavily on articles imported from the other than on similar national products; except articles of State monopoly and raw materials used for their manufacture. (Art. VII.)

(b) Taxes which Italy may impose on stamping of gold or silver articles of jewelry, watches and watch cases imported from Switzerland, in case stamping of such articles is made compulsory by Italy. (Art. X.)

(c) Treatment of subjects of either country owning or cultivating lands in the other within 10 kilometers of the boundary line as regards any advantages concerning exploitation or use of their properties, on condition of observing the administrative and police regulations. (Art. XII.)

(d) Treatment by either country of commercial travelers from the other, on condition of observing formalities prescribed. (Art. XV.)

III. Other provisions.

(a) Neither country to obstruct the commerce of the other by prohibitions of any kind regarding importation, exportation, or transit (Art. II), except in the following cases:

(1) Provisions of war in exceptional circumstances. (Art. II, 1.)

(2) Considerations of public safety. (Art. II, 2.)

(3) Sanitary measures to protect animals and useful plants from disease and from noxious insects or parasites. (Art. II, 3.)

(4) Prohibitions concerning articles of State monopoly in either country. (Art. II, 4.)

(b) Import and export duties to be levied on articles listed in Schedules A and D annexed to this treaty must not exceed the rates therein specified. Both countries reserve the right to make import or export duties payable in gold. (Art. III.)

(c) Merchandise of any kind passing through either country is reciprocally exempt from all transit duties in the other, whether going straight through or unloaded, stored, and reloaded. (Art. IV.)

(d) Refund of specified duties is permitted on exportation from either country; but neither party may allow export bounties in any form on any article whatever without consent of the other. (Art. VIII.)

(e) Supplementary import duties may be imposed by either country on articles of State monopoly; and products containing alcohol may be subjected to a tax equal to the internal fiscal charges on the alcohol employed in their manufacture. (Art. IX.)

(f) Specified products of lands in either country within 10 kilometers of the boundary, and specified articles used for cultivation of such properties, are reciprocally exempt from all import, export, or transport duties, subject to regulations for prevention or suppression of fraud. (Art. XII.)

(g) Temporary exemption from import or export duties is reciprocally accorded to live stock crossing the frontier from either country to markets, winter quarters, or Alpine pastures in the other. (Art. XIII and Annex F.)

(h) Specified articles crossing the frontier from either country to the other are reciprocally exempt from import and export duties, subject to reimportation or reexportation within time limit stated. (Art. XIV and Annex F.)

(i) Stock companies and other commercial, industrial, or financial associations duly constituted in either country are authorized to exercise their rights in the other, with special reference to actions in courts of justice, on condition of conforming to the laws of the country. (Art. XVI.)

(j) Arbitration of disputes concerning interpretation of this treaty (Art. XVIII) and statement of procedure relating thereto (Annex F.)

(k) Detailed provisions concerning certificates of origin (Art. III); customs dues payable for clearance at frontier stations (Arts. V, VI); arrangements designed to facilitate frontier traffic between the two countries (Art. XI); and equivalent advantages to be assured in either country to laborers from the other with regard to insurance of workers (Art. XVII).

Treaties with the United States of America.

Treaties of Italy with the United States have been previously dealt with in this volume under America, United States of, No. 32.

Treaty with Venezuela.

No. 373.

Treaty of friendship, commerce, and navigation between Italy and Venezuela.

SIGNED 19 June, 1861, at Madrid. Effective from 20 Sept., 1862, for five years, and thereafter until terminated by 12 months' notice from either party. (Art. XXVII.)

TEXT: Italian, Italy Tr. 1911, II:1055-65; Spanish, Venezuela Tr. 159-66; English (transl.), B. F. S. P. 54:1330-9.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms regarding all exemptions, privileges,

and immunities of whatever kind which either country may grant to subjects, ships, and merchandise of any other nation. (Art. XXVI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Merchandise permitted to be imported into or exported from either country in ships of the other, from whatever place arriving and for any destination. (Art. VIII.)

(b) All duties imposed on importation or exportation of products of either country. (Art. VIII.)

(c) Appointment of consular officers, and all privileges, exemptions, and immunities accorded to them by either country. (Arts. XVI and XVIII.)

(d) Treatment of warships of either country in ports of the other. (Art. XV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged respecting all charges, contributions, or imposts payable in either country by citizens of the other. (Art. VI.)

III. National treatment is reciprocally pledged in regard to:

(a) Right of citizens of either country to acquire and possess all kinds of property in the other, real or personal, and to dispose of the same in any manner whatever; also all dues, contributions, or imposts relating thereto. (Art. II.)

(b) Right to enter with ships and cargoes all places, ports, and rivers open to foreign trade in either country; to travel, reside, and trade there by wholesale or retail; to hire and occupy houses, warehouses, and shops; to make consignments of goods and money; to receive consignments, domestic or foreign; to buy, sell, and fix prices of imported or native goods; and to transact any lawful business in person or otherwise; also all charges, contributions, or imposts relating to any of these. (Art. III.)

(c) All rights, privileges, or conditions regarding protection of persons and property in either country. (Art. IV.)

(d) All dues, charges, imposts, or contributions imposed by either country on property belonging to citizens of the other (Art. VI); even in case of war between the two countries (Art. V).

(e) All duties imposed, and all exemptions, premiums, and drawbacks allowed by either country on importation, exportation, or transit of merchandise, whether carried in vessels of either nation, and whatever the place of origin or destination of the cargoes. (Art. VIII.)

(f) All dues for tonnage, port, lighthouse, quarantine, and any other dues under whatever name, imposed in ports of either country on ships of the other. (Art. X.)

(g) Treatment of ships of either country on entering ports of the other, or touching its coasts. (Art. XI.)

(h) All matters concerning the placing, loading, or unloading of ships in the ports, basins, and roadsteads of either country, including use of public warehouses, cranes, and other equipment, and all formalities, and arrangements relating thereto. (Art. XXIII.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all military service by land or sea, and from all contributions, forced loans, and requisitions. (Art. IV.)

(b) In case of war between the two countries, citizens of either may continue their business in the other without interruption so long as they behave peaceably and commit no offense against the laws, their property being exempt from seizure or sequestration. (Art. V.)

(c) Neither State to grant monopolies or privileges to the injury of commerce of the other, except articles of Government monopoly, and except introduction or application of patents for inventions. (Art. IX.)

(d) Arbitration of disputes between the two countries. (Art. V.)

(e) Extensive and detailed provisions relating to assistance to shipwrecked vessels (Art. XII); recognition of nationality of vessels (Art. XIII); neutrality and contraband (Art. XIV); appointment and powers of consuls (Arts. XVI, XVII, XX); inviolability of consular archives (Art. XIX); consular administration of estates of deceased nationals (Art. XXI); local regulations concerning police of ports (Art. XXII); consular intervention in case of disputes on merchant vessels; and cooperation with local authorities for recovery of seamen deserters, and adjustment of damages suffered by vessels of either nation (Arts. XXIII-XXV).

JAPAN.

Treaties with America, United States of, to Italy.

Treaties of Japan with the following countries have been previously dealt with in this volume under:

America, United States of, Nos. 33 and 34.	Czechoslovakia, No. 257.
Argentina, No. 59.	Denmark, Nos. 264 and 265.
Austria, No. 63.	Ecuador, No. 281.
Austria-Hungary, No. 76.	France, No. 291.
Belgium, No. 106.	Germany, Nos. 314, 320, and 321.
Bolivia, No. 132.	Great Britain (under British Empire), No. 167.
Brazil, No. 139.	Greece, No. 340.
Chile, No. 224.	Hungary, No. 355.
China, Nos. 233 to 235.	Italy, No. 356.
Colombia, No. 249.	

Treaty with Korea.¹⁵⁰

No. 374.

Treaty between Japan and Korea arranging the annexation of Korea to Japan.

SIGNED 22 Aug., 1910, at Seoul. Promulgated 29 Aug., 1910. Effective from date of promulgation for an indefinite term.

TEXT: English (transl.), Japan Tr. 1918:450-1; Martens 89:24-5; B. F. S. P. 103:992-3.

(a) Complete and permanent cession by Korea to Japan of all rights of sovereignty over the whole of Korea. (Arts I, II.)

(b) Japan assumes the entire government and administration of

¹⁵⁰ Treaties concluded by Korea with foreign powers ceased to be binding, from 29 Aug., 1910. Japan's existing treaties are therefore to be applied to Korea, so far as practicable. Foreigners residing in Korea have the same rights and immunities as in Japan proper, so far as conditions permit, the protection of their legally acquired rights being subject in all cases to the jurisdiction of Japan. (Decl. 1. English (transl.), Japan Tr. 1918:452-3; Martens 89:26-30.)

Japan undertakes, until 29 Aug., 1920, to levy upon goods imported or exported to or from Korea from or to a foreign country or Japan, and upon foreign or Japanese vessels entering any of the open ports of Korea, the same import or export duties and the same tonnage dues as under the schedules then existing and enforced in Korea. (Decl. 2, *ibid.*)

Japan will further, until 29 Aug., 1920, permit vessels under flags of the powers having treaties with Japan to engage in the coasting trade between the open ports of Korea, and between those ports and any open port of Japan. (Decl. 3, *ibid.*)

Corea, undertaking to afford full protection for the persons and property of Coreans obeying the laws there in force. (Art. VI.)

(c) The Emperor, crown prince, and other specified members of the imperial house of Corea are to be accorded by Japan the titles, dignity, and honor appropriate to their respective ranks, and sufficient annual grants for the maintenance thereof. (Arts. III, IV.)

(d) Peerage and monetary grants to be conferred by Japan on Coreans deserving special recognition on account of meritorious service. (Art. V.)

(e) Coreans who loyally accept the new régime to be employed in the public service of Japan in Corea, if duly qualified. (Art. VII.)

Treaty with Mexico.

No. 375.

Treaty of friendship and commerce between Japan and Mexico.

SIGNED 30 Nov., 1888, at Washington. Ratifications exchanged there 6 June, 1889. Effective from exchange of ratifications, subject to termination on six months' notice from either party. (Art. IX.)

TEXT: Spanish and English, Japan Tr. 1918:290-6; English (authentic), B. F. S. P. 79:129-32; Martens 68:755-7; Spanish, Mexico Tr. Vig. 2:53-7.

Most-favored-nation treatment is reciprocally but conditionally pledged in regard to all favors, privileges, or immunities whatever in matters relating to commerce, navigation, travel, or residence in the territories or possessions of either country. (Art. V.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Appointment of consular officers, and, subject to the stipulations of this treaty, all rights, privileges, exemptions, and immunities accorded to them in either country. (Art. II.)

(b) Access with ships and cargoes to all places and ports in either country open to foreign commerce; and right to remain and reside there, to hire and occupy houses and warehouses, and to trade by wholesale or retail in all kinds of products and objects of lawful commerce. (Art. III.)

(c) All dues or charges for tonnage, lighthouse, harbor, pilotage, quarantine, salvage, and all other local charges imposed on vessels of either nation in ports of the other. (Art. VI.)

(d) All duties, charges, or prohibitions imposed by either country on importation of products of the other. (Art. VII.)

(e) All duties or prohibitions imposed by either country on exportation of any articles to the other. (Art. VII.)

Treaty with the Netherlands.

No. 376.

Treaty of commerce and navigation between Japan and the Netherlands.

SIGNED 6 July, 1912, at the Hague. Ratifications exchanged 8 Oct., 1913, at Tokyo. Effective from 9 Oct., 1913. Terminable on 12 months' notice from either party. (Art. XX.)

TEXT: French, Japan Tr. 1918: 320-7; Martens 94: 425-32; B. F. S. P. 107: 966-72; Lagemans 18: 152-9.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged (subject to exceptions noted below) respecting all privileges, favors, or immunities in matters concerning commerce, navigation, and industry, which either country may accord to the vessels or subjects of any other State, in every respect. (Art XVII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All matters relating to residence and travel throughout the territories and possessions of either country; also studies and investigations, exercise of trades or professions, and exercise of industrial or manufacturing enterprises, in all respects. (Art. I, 1.)

(b) Acquisition and possession of all kinds of immovable property, on condition of reciprocity, and subject always to conditions and restrictions prescribed by the laws of the country. (Art. I, 5.)

(c) Any charges, taxes, or contributions of whatever kind imposed by either country on subjects of the other, including military requisitions or contributions. (Art. I, 7-8.)

(d) Appointment of consular officers, and all privileges, exemptions, and immunities accorded to them in either country. (Art. III.)

(e) Access with ships and cargoes to all places, ports, and rivers open to foreign commerce in either country. (Art. V.)

(f) Customs duties levied in either country on importation of products of the other, from whatever place arriving, and any prohibitions or restrictions imposed by either country against products of the other, from whatever place arriving; except sanitary measures for protection of animals or useful plants. (Art VI.)

(g) Treatment by either country of merchants, manufacturers, and commercial travelers from the other in respect of all imposts or charges, and all facilities incidental to buying and selling or soliciting orders, with or without samples. (Art. VII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in respect to:

(a) All privileges, liberties, rights, imposts or charges relating to possession or transmission, by will or otherwise, of any personal property lawfully acquired; also disposal in any manner of all kinds of property lawfully acquired. (Art. I, 4.)

(b) All dues for tonnage, transit, canal, port, pilotage, lighthouse, quarantine, and all similar or analogous duties or charges, no matter by whom or how levied in territorial waters of either country on ships of the other, from whatever place arriving and whatever their destination. (Art. XIII.)

III. National treatment is reciprocally pledged in respect to the following matters:

(a) Right of trading in all articles of lawful commerce in either country. (Art. I, 2.)

(b) Conditions and legal forms concerning domiciliary visits or search of dwellings and other premises, and examination or inspection of books, papers, or accounts. (Art. II.)

(c) All articles which may be legally imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination, subject to the same duties or charges under whatever name and the same bounties or drawbacks as when carried in national ships. (Art. X.)

(d) All privileges and facilities accorded in territorial waters of either country to ships of the other in matters concerning the placing, loading, or unloading of vessels. (Art. XI.)

(e) Assistance, protection, and immunities accorded by either country to vessels seeking refuge from damage or shipwreck, so far as obligations of neutrality permit. (Art. XVI.)

IV. Other provisions.

(a) Right of subjects of either country to enter and reside in all territories and possessions of the other and to possess or rent and occupy houses, factories, stores, shops, and other premises, and to lease lands for residential, commercial, industrial, or other lawful purposes. (Art. I, 3.)

(b) Protection and security in either country for subjects of the other and their properties, with special reference to open access to courts of justice. (Art. I, 6.)

(c) Exemption of each other's citizens from all compulsory military service by land or sea, from all contributions in lieu of personal service, and from all forced loans and military requisitions or contributions, subject to exceptions named. (Art. I, 7.)

(d) Temporary duty-free admission into either country of commercial travelers' samples from the other, subject to customs regulations and formalities relating thereto. (Art. VII.)

(e) Stock companies and other commercial, industrial, and financial associations duly constituted in either country are authorized to exercise their rights in the other, with special reference to actions in courts of justice. (Art. IX.)

(f) Provision relating to arrest of seamen deserters. (Art. XV.)

V. Exceptions.—The stipulations of this treaty do not apply to:

(a) Concessions accorded by either country to bordering States to facilitate frontier traffic. (Art. XVIII *a*.)

(b) Treatment accorded by either country to products of the national fisheries (or of fisheries assimilated thereto) as regards importation of their products. (Art. XVIII *b*.)

VI. Application to colonies, etc.—The provisions of this treaty apply to all territories and possessions belonging to or administered by either country. (Art. XIX.)

Treaties with Norway.

No. 377.

Treaty of commerce and navigation between Japan and Norway.

SIGNED 16 June, 1911, at Christiania. Ratifications exchanged 15 July, 1911, at Tokyo. Effective from 17 July, 1911, until 16 July, 1923, and thereafter until terminated by 12 months' notice from either party. (Art. XIX.)

TEXT: French. Japan Tr. 1918:301-7; B. F. S. P. 105:702-8; Martens, 93:602-8; Norwegian, Norway Tr. 1914:95-101.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) in regard to all privileges, favors, or immunities whatever in matters of commerce, navigation, and industry, unless otherwise expressly declared in this treaty. (Art. XVII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Travel, residence, studies, and investigations; exercise of trades and professions; execution of industrial or manufacturing enterprises, and trading in all articles of lawful commerce in either country. (Art. I, 1.)

(b) Possession, hiring, and occupation of houses, factories, warehouses, shops, and other necessary premises; also leasing of lands for residential, and for lawful commercial, industrial, or other uses in either country. (Art. I, 2.)

(c) Payment of taxes, imposts, charges, or contributions of whatever kind. (Art. I, 5.)

(d) Transmission of personal property, and disposal of any other property lawfully acquired, and all imposts or charges relating thereto. (Art. I, 6.)

(e) Appointment of consular officers, and all privileges, exemptions, and immunities accorded to them in either country. (Art. III.)

(f) Right of citizens of either country to enter with ships and cargoes all places, ports, and rivers in the other open to foreign commerce, subject to observing the laws of the country. (Art. V.)

(g) All duties or charges imposed by either country on exportation of any article to the other; also any prohibitions or restrictions on imports or exports to or from either country, except sanitary measures for protection of health, animals, or useful plants. (Art. VI.)

(h) All facilities, privileges, and immunities accorded to vessels performing a regular postal service. (Art. XII.)

(i) Any privileges granted by either country in respect of its coasting trade. (Art. XIII.)

(j) Exemption of each other's citizens from all compulsory military service by land or sea. (Art. I, 4.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged respecting dues for tonnage, transit, canal, port, pilotage, light, quarantine, and all similar duties or charges under whatever name, no matter by whom or how levied, in territorial waters of either country on ships of the other, from whatever place arriving and whatever their destination. (Art. XI.)

III. National treatment is reciprocally pledged in respect to:

(a) Protection of each other's citizens as regards their persons and property, administration of justice, and access to courts or tribunals. (Art. I, 3.)

(b) Military requisitions or contributions in either country. (Art. I, 4.)

(c) Exemption of dwellings and other premises from domiciliary visits or search, and of books, papers, or accounts from inspection or examination; except under conditions and with legal forms applying to citizens of the country. (Art. III.)

(d) Importation and exportation. Whatever articles may be lawfully imported into or exported from either country in its own vessels, may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination; without paying other or higher duties or charges of any kind, and subject to the same bounties or drawbacks, as when carried in national vessels. (Art. VIII.)

(e) All privileges and facilities in regard to stationing, loading or unloading of vessels in territorial waters of either nation. (Art. IX.)

(f) Privileges and immunities of vessels seeking refuge from damage or shipwreck. (Art. XVI.)

IV. Other provisions.

(a) Customs duties levied in either country on imported products of the other are to be determined by special arrangements, or by domestic legislation of either country. (Art. VI.)

(b) Stock companies and other commercial, industrial or financial associations duly constituted in either country are authorized to

exercise their rights in the other, with special reference to actions in courts of justice. (Art. VII.)

(c) Citizens of either country are exempt in the other from all compulsory military service by land or sea, and from all contributions in lieu of personal service. (Art. I, 4.)

(d) Administration by consular officers of the estates of their deceased nationals. (Art. IV.)

(e) Local authorities to assist consular officers in recovery of seamen deserters. (Art. XV.)

(f) Provision regarding consular jurisdiction of disputes between officers and crews arising on merchant vessels at sea or in territorial waters of either country, with special reference to salaries and execution of contracts. (Art. XIV.)

V. Exceptions.—The stipulations of this treaty do not apply to:

(a) Special advantages granted exclusively to bordering countries to facilitate frontier traffic.

(b) Special advantages granted by Norway to Sweden exclusively.

(c) Exclusive advantages resulting from a customs union. (Art. XVII.)

VI. Application to colonies, etc.—The provisions of this treaty are applicable to all territories and possessions owned or administered by either country. (Art. XVIII.)

No. 378.

Special and reciprocal customs convention between Japan and Norway.

SIGNED 16 June, 1911, at Christiania. Ratifications exchanged 15 July, 1911, at Tokyo. Effective from 17 July, 1911, until terminated by 12 months' notice from either party. (Art. VI.)

TEXT: French, Japan Tr. 1918:308-9; B. F. S. P. 105:708-9; Martens 93:608-10; Norwegian, Norway Tr. 1914:102-4.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) in regard to:

(a) Customs duties levied by either country on importation of products of the other. (Art. I.)

(b) Internal taxes or duties for octroi, transit, warehousing, excise, or consumption levied by either country on grain imported from the other. (Art. II.)

(c) Certificates which either country may exceptionally require as evidence of origin of articles imported from the other. (Art. III.)

II. National treatment is reciprocally pledged regarding internal taxes or dues levied by either country for octroi, transit, warehousing, excise, or consumption; which must not bear more heavily on imported products of the other country (except grain) than on similar articles of national origin. (Art. II.)

III. Exceptions.—Stipulations of this convention do not apply to:

(a) Importation of products of national fisheries or of fisheries assimilated thereto. (Art. V, 1.)

(b) Exceptional tariff concessions to bordering States to facilitate frontier traffic. (Art. V, 2.)

(c) Special advantages granted by Norway to Sweden exclusively. (Art. V, 3.)

(d) Exclusive advantages resulting from a customs union. (Art. V, 3.)

IV. Application to colonies, etc.—The provisions of this convention are applicable to all territories and possessions owned or administered by either country. (Art. IV.)

Treaty with Peru.

No. 379.

Treaty of commerce and navigation between Japan and Peru.

SIGNED 20 Mar., 1895, at Washington. Ratifications exchanged there 24 Dec., 1896. Effective from 17 July, 1899, for seven years, and thereafter terminable on 12 months' notice from either party. (Art. XVIII.)

TEXT: English, Japan Tr. 1918:328-36; B. F. S. P. 87:1217-29; Martens 84:400-7; Spanish, Peru Act. Int. 1916, No. 41.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in regard to any privilege, favor, or immunity relating to commerce and navigation granted by either country to the Government, ships, citizens, or subjects of any other State (Art. XIV); except the coasting trade of both countries (Art. X).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Import duties or prohibitions imposed by either country against products of the other, from whatever place arriving (Art. IV), except sanitary measures to protect safety of persons, of cattle, or of plants useful to agriculture (Art. IV).

(b) Duties or prohibitions imposed by either country on exports of any merchandise to the other. (Art. V.)

(c) Any rights granted by laws, ordinances, or regulations of either country in respect of its coasting trade. (Art. X.)

(d) Appointment and recognition of consular officers, and all privileges, exemptions, or immunities accorded to them in either country. (Art. XV.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) Residence and travel in any part of either country; possession of goods and effects of any kind; succession to personal estates by will or otherwise; disposal of lawfully acquired property of any

sort in any manner whatever; and all imposts, charges, or taxes payable in either country by citizens or subjects of the other. (Art. I.)

(b) Right of access with ships and cargoes to all places, ports, and rivers open to foreign commerce in either country, and all taxes, imposts, or duties of whatever nature relating to commerce and navigation, no matter by whom or how levied, subject always to specified laws, ordinances, and regulations applying to all foreigners in either country. (Art. II.)

(c) All duties of tonnage, harbor, pilotage, lighthouse, or quarantine, and any similar dues of whatever nature, no matter by whom or how levied in either country on ships of the other, from whatever place arriving and whatever their destination. (Art. VIII.)

III. National treatment is reciprocally pledged in regard to the following matters:

(a) All matters relating to administration of justice, including free and easy access to courts, and right to employ advocates or others therein. (Art. I.)

(b) Right to trade by wholesale or retail in all kinds of merchandise of lawful commerce, in person or otherwise, singly or as partners with others; also right to own or rent and occupy houses, factories, warehouses, shops, and other premises, and to lease land for purposes of residence or commerce, subject to the laws, police, and customs regulations of the country. (Art. II.)

(c) Exemption of dwellings and other premises from domiciliary visits or search, and of books, papers, or accounts from inspection or examination, except under conditions and with legal forms applying to citizens of the country. (Art. III.)

(d) All matters relating to warehousing, bounties, facilities, and drawbacks. (Art. VI.)

(e) All articles which may be legally imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination, without paying other or higher duties or charges of any kind, and subject to the same bounties and drawbacks, as when carried in national vessels. (Art. VII.)

(f) Any privilege granted in regard to stationing, loading, or unloading of vessels in ports, docks, rivers, or waters of either country. (Art. IX.)

(g) Treatment of warships or merchant vessels of either nation seeking refuge from damage or shipwreck on coasts or in ports of the other. (Art. XI.)

(h) Protection of each other's citizens in regard to patents, trademarks, and designs. (Art. XVI.)

IV. Other provisions.

(a) Liberty of conscience and, subject to laws and regulations of the country, exercise of religious worship and right of burial are reciprocally assured in either country. (Art. I.)

(b) Exemption of each other's citizens from all compulsory military service whatever, by land or sea, from all contributions imposed in lieu of personal service, and from all forced loans or military exactions or contributions. (Ibid.)

(c) Salvaged merchandise to be exempt from all customs duties in either country unless cleared for consumption. (Art. XI.)

(d) Local authorities to assist consuls in recovery of seamen deserters. (Art. XIII.)

Treaty with Russia¹⁰⁰

No. 380.

Treaty of commerce and navigation between Japan and Russia.

SIGNED 28 July, 1907, at St. Petersburg. Effective from 9 Nov., 1907, for indefinite duration, subject to termination after 17 July, 1910, on 12 months' notice by either party. (Art. XVII.) Notice was given by the Russian Provisional Government to terminate this treaty, as from 24 Oct., 1918. (Japan Tr. 1918: 378.)

TEXT: French, Japan Tr. 1918: 365-77; B. F. S. P. 101: 443-53; Martens 86: 850-60.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting all privileges, favors, or immunities which either country may accord to the vessels, subjects, or citizens of any nation in matters concerning commerce, navigation, industry, trades, and professions in all respects. (Art. XIV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment by either country of subjects of the other in all that concerns agriculture, and holding of land, by right of property or any other title. (Art. I.)

(b) Access with ships and cargoes to all places, ports, and rivers open to foreign commerce in either country. (Art. II.)

(c) Any duties or prohibitions imposed by either country on importation of products of the other, from whatever place arriving; except sanitary and other measures of public safety, or to protect animals and plants useful to agriculture. (Art. IV.)

(d) Any duties, charges, or prohibitions imposed by either country on exportation of any article to the other. (Art. V.)

(e) All matters concerning transit dues, warehousing, bounties, facilities, and drawbacks. (Art. VI.)

(f) Any rights or privileges which laws and regulations of either country may accord in respect of its coasting trade. (Art. X.)

¹⁰⁰ See p. 757, note 195.

(g) Appointment of consular officers, and, on condition of reciprocity, all privileges, exemptions, immunities, and powers accorded to them in either country. (Art. XV.)

(h) Any advantage which Russia may accord to any third power in respect of the exceptions noted below under V. (Separate art. and notes.)

(i) Any advantages which Japan may accord to Corea or to neighboring countries of eastern Asia lying east of the Straits of Malacca with regard to the exceptions noted below under V. (Ibid.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) All privileges, liberties, rights, imposts, or charges relating to residence and travel in either country or concerning possession, transmission, and disposal of personal property of all kinds, or of any property lawfully acquired. (Art. I.)

(b) Any charges or taxes payable in either country by citizens of the other. (Art. I.)

III. National treatment is reciprocally pledged in regard to:

(a) All rights and privileges regarding administration of justice, including access to courts, and employment of advocates or others therein. (Art. I.)

(b) Liability for specified military charges or requisitions incumbent on possession of landed property in either country. (Art. I.)

(c) Right of subjects of either country to exercise any lawful industry, trade, or commerce in the other, by wholesale or retail, personally or by agents, singly or jointly with foreigners or native subjects, and right to possess or hire and occupy houses and warehouses, and to rent lands for residential or professional uses, subject to observing the laws and the police and customs regulations of the country. (Art. II.)

(d) All imposts, taxes, or duties of any kind relating to commerce and navigation, no matter by whom or how levied in either country on citizens of the other, subject to laws and special regulations in matters of commerce, industry, trades, professions, property, police, and public health or safety applying to all foreigners in either country. (Art. II.)

(e) Exemption of dwellings and other premises from domiciliary visits or search, and of books, papers, or accounts from inspection or examination, except under conditions and with legal forms applying to citizens of the country. (Art. III.)

(f) Importation and exportation. All articles which may be legally imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination, without paying other or higher dues or charges of whatever kind, and subject

to the same bounties or drawbacks as when carried in national vessels. (Art. VII.)

(g) Any privileges concerning the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbors, or rivers of either country. (Art. IX.)

(h) Any charges, and salvage or other expenses, payable by vessels of either country seeking refuge in ports of the other from damage or shipwreck. (Art. XI.)

(i) Protection to be accorded in either country to citizens of the other with regard to patents, trade-marks, and designs. (Art. XVI.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from all contributions in substitution therefor, and from all forced loans and military exactions or contributions except charges and military contributions or requisitions incumbent on possession of landed property. (Art. I.)

(b) Freedom of conscience, and (subject to laws and regulations of the country) all religious worship in either country, and right to bury or cremate the dead in suitable places. (Art. I.)

(c) Ships of either country may load or discharge foreign cargoes at different ports of the other on the same voyage; but coasting trade is excepted. (Art. X.)

(d) Detailed provisions concerning treatment of vessels of either country seeking refuge in ports of the other from damage or shipwreck. (Art. XI.)

(e) Provisions concerning validity of Japanese passports in Russia, and duty payable thereon. (Protocol, Art. I.)

(f) Products of specified territories of either country imported overland into specified territories of the other shall receive the same treatment as products of Manchuria in all that concerns customs facilities and duties. (Protocol, Art. II.)

V. Exceptions and reservations.

(a) The provisions of this treaty do not apply to the coasting trade, which is reserved for regulation by the laws of each country. (Art. X.)

(b) Exceptions reserved by Russia:

(1) Favors which Russia may accord to bordering States to facilitate frontier traffic within 50 versts of the boundary line. (Separate art., Russian reservations, Art. I.)

(2) Favors which Russia may accord to residents of the Province of Archangel as regards importation and exportation, and favors concerning trade with the north and east coasts of Siberia. (Ibid., Art. II.)

(3) Special stipulations of the treaty of 8 May, 1838,¹⁶¹ between Russia and Sweden and Norway. (Ibid., Art. IV.)

(4) Arrangements concerning commerce of Russia with bordering countries of Asia. (Ibid., Art. IV.)

(5) Exemption accorded to vessels built in Russia and owned by Russians, which are exempt from navigation dues during the first three years. (Ibid., Art. V.)

(6) Immunities accorded by Russia to yacht clubs. (Ibid., Art. VI.)

(7) Monopoly of any article which the Government of Russia may reserve for itself. (Ibid., Art. VII.)

(c) Exceptions reserved by Japan:

(1) Special arrangements between Japan and Corea relating to commerce, industry, and navigation. (Japan's reservations, Art. I.)

(2) Arrangements concerning Japan's commerce with bordering countries of eastern Asia lying east of the Straits of Malacca. (Ibid., Art. II.)

(3) Monopoly of any article which the Government of Japan may reserve for itself. (Ibid., Art. III.)

Treaty with Siam.

No. 381.

Treaty of friendship, commerce, and navigation between Japan and Siam.

SIGNED 25 February, 1898, at Bangkok. Effective from 31 May, 1898, for 10 years, and thereafter terminable on 12 months' notice from either party. (Art. XIV.)

TEXT: English (authentic); Japan Tr. 1918: 414-20; B. F. S. P. 90: 66-72; Martens 83: 203-9.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms respecting any privilege, favor, or immunity concerning commerce, industry, and navigation granted by either country to the Government, subjects, citizens, ships, or merchandise of any other State. (Art. XIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All honors, privileges, exemptions, and immunities of every kind granted to consular officers in either country. (Art. II.)

(b) All matters concerning travel, trade, and residence; acquisition, possession, and disposal of property of all kinds; right to engage in all kinds of business, occupation, and enterprise, and trade by wholesale or retail in all kinds of merchandise; right to hire and occupy houses, warehouses, factories, and shops; and payment.

¹⁶¹ See No. 440.

of taxes, imposts, charges, or exactions relating to any of these. (Art. III.)

(c) Access with ships and cargoes to all places, ports, and rivers open to foreign commerce in either country. (Art. IV.)

(d) All matters relating to transit duties, warehousing, bounties, facilities, drawbacks, and the examination and appraisement of merchandise. (Art. V.)

(e) All duties or prohibitions imposed by either country on importation of products of the other, from whatever place arriving, except sanitary measures to protect the safety of persons, or of cattle, or of plants useful to agriculture. (Art. VI.)

(f) All duties, taxes, charges, or prohibitions of any kind imposed by either country on exportation of any article to the other. (Art. VII.)

(g) All honors, advantages, privileges, and exemptions conceded to warships of either nation in ports and waters of the other. (Art. XII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to the following matters:

(a) Whatever articles may be legally imported into or exported from either country in its own or any other vessels, may likewise be imported or exported in ships of the other, from whatever place arriving, and for any destination, without paying other or higher duties or charges of any kind, and subject to the same bounties or drawbacks, as when carried in national vessels or in those of any other country. (Art. VIII.)

(b) All duties or charges for tonnage, light, harbor, pilotage, quarantine, salvage, or any other local charges or dues levied by either country on ships of the other, from whatever place arriving and whatever their destination. (Art. IX.)

(c) Any privilege concerning the entering, clearing, stationing, loading, or unloading of vessels in ports, docks, rivers, or waters of either country. (Art. X.)

III. National treatment is reciprocally pledged in regard to duties and salvage or other expenses payable in either country by vessels of the other in case of damage or shipwreck. (Art. XI.)

IV. Other provisions.

(a) Protection by either country of the persons and property of subjects of the other. (Art. I.)

(b) Japanese consular officers to exercise jurisdiction over Japanese subjects in Siam until completion of specified judicial reforms in Siam. (Protocol, 1.)

(c) Trade regulations and customs tariffs then in force between Siam and other powers having treaties with Siam are accepted as

binding upon Japanese subjects and vessels, subject to revision on 12 months' notice upon demand of either country. (Protocol, 2.)

(d) Arbitration of disputes regarding interpretation or execution of this treaty. (Protocol, 3.)

Treaties with Spain.

No. 382.

Special commercial convention between Japan and Spain.

SIGNED 28 Mar., 1900, at Tokyo. Ratifications exchanged there 30 Mar., 1901. Effective from exchange of ratifications for five years, and thereafter until terminated by 12 months' notice from either party. (Art. IV.)

TEXT: English (authentic) and Spanish, Japan Tr. 1918: 196-200; English, B. F. S. P. 92: 1045-7; Martens 83: 247-8.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) Any duties which either country may impose, under whatever name, on importation of products of the other (Spain including for this purpose the Balearic and Canary Islands), when imported direct or accompanied by through bills of lading. But the special advantages accorded to Portugal, and special privileges which Spain may grant exclusively to bordering States to facilitate frontier traffic, shall not be accorded to products of Japan. (Art. I and III.)

(b) Any prohibitions which either country may impose on importation of products of the other, from whatever place arriving; except sanitary and other prohibitions to protect the safety of persons or of cattle or of plants useful to agriculture. (Art. I.)

(c) Any duties, charges, or prohibitions which either country may impose on exportation of any article to territories of the other. (Art. II.)

No. 383.

Treaty of amity and general relations between Japan and Spain.

SIGNED 15 May, 1911, at Madrid. Ratifications exchanged 10 July, 1915, at Tokyo. Effective from exchange of ratifications until 16 July, 1921. (Protocol, 29 Aug., 1911, amending Art. XXI.)

TEXT: French, Japan Tr. 1918: 201-9; B. F. S. P. 107: 985-93; Spanish, Martens 94: 766-73.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below), in regard to all privileges, favors, or immunities whatever in all matters concerning commerce, navigation, and industry. (Art. XVIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All matters concerning travel and residence, studies, and investigations; exercise of trades and professions; and conduct of in-

dustrial or manufacturing enterprises in either country, in all respects. (Art. I, 1.)

(b) Acquisition and possession of property of all kinds, personal or real, on condition of reciprocity, and subject to conditions and restrictions prescribed by law in either country. (Art I, 4.)

(c) Appointment of consuls, and all privileges, exemptions, and immunities accorded to consular officers in either country (Art. III); with special reference to administration of estates of their deceased nationals (Art. IV).

(d) Right to enter with ships and cargoes all places, ports, and rivers open to foreign commerce in either country, subject to the laws of the country. (Art. V.)

(e) All duties or charges imposed by either country on exportation of any article to the other. (Art. VI.)

(f) Any prohibitions or restrictions imposed by either country on imports or exports to or from the other; except sanitary measures or measures for the protection of animals and useful plants. (Art. VI.)

(g) Treatment by either country of merchants, manufacturers, or commercial travelers from the other in respect of all imposts or charges, and all facilities incidental to buying and selling or soliciting orders. (Art. VII.)

(h) All facilities, privileges, and immunities accorded in the territorial waters of either country to ships of the other charged with a regular postal service. (Art. XIII.)

(i) Any advantages which either country may concede in regard to exceptions noted under V below. (Arts. XIX, XX.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged in regard to:

(a) Exceptional forced loans, and any exceptional military requisitions or contributions incumbent in either country on possession or occupation of landed property. (Art. I, 6.)

(b) Payment of taxes, charges, imposts, or contributions of whatever nature. (Art. I, 7.)

(c) All duties for tonnage, transit, canal, port, pilotage, light-house, quarantine, and other similar duties or charges under whatever name, no matter by whom or how levied in territorial waters of either nation on ships of the other, from whatever place arriving and whatever their destination (Art. XII); except special advantages or privileges accorded by either country exclusively to its national merchant marine. (Decl. 12 May, 1913¹⁶².)

III. National treatment is reciprocally pledged in regard to:

(a) Right to trade in all articles of lawful commerce in either country. (Art. I, 2.)

¹⁶² French, Japan Tr. 1918 : 210.

(b) Right to possess, rent, and occupy houses, factories, warehouses, shops, and other premises, and to lease lands for residential, commercial, industrial, or other lawful uses. (Art. I, 3.)

(c) Conditions regarding disposal of property by sale, gift, marriage, testament or any other manner, including export of proceeds if sold, and all duties or charges relating thereto. (Art. I, 4.)

(d) Constant security and protection of persons and property, including access to courts of justice and employment of advocates or others therein. (Art. I, 5.)

(e) Exemption of dwellings and other premises from domiciliary visits or search, and of books, papers, or accounts from inspection or examination, except under conditions and with legal forms applicable to citizens of the country. (Art. II.)

(f) Importation and exportation. All articles which may be legally imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other from whatever place arriving and for any destination without paying other or higher dues or charges of whatever kind, and subject to the same bounties or drawbacks as when carried in national vessels. (Art. IX.)

(g) All privileges or facilities granted in territorial waters of either country with reference to stationing, loading, or unloading of vessels. (Art. X.)

(h) All immunities and assistance or protection accorded by either country to vessels seeking refuge from damage or shipwreck, so far as duties of neutrality permit. (Art. XVII.)

IV. Other provisions.

(a) Customs duties levied in either country on importation of products of the other are to be regulated by special arrangements between both nations or by domestic legislation in either country. (Art. VI.)

(b) Right of vessels of either nation to load or discharge foreign cargo at different ports of the other on the same voyage, but coasting trade is expressly excepted. (Art. XIV.)

(c) Citizens of either country are exempt in the other from all compulsory military service by land or sea, from contributions in lieu of personal service, and from all forced loans and military requisitions or contributions, except those incumbent in either country on possession of landed property. (Art. I, 6.)

(d) Reciprocal duty-free admission by either country of commercial travelers' samples from the other, subject to regulations and formalities relating thereto. (Art. VII.)

(e) Commercial, industrial, and financial companies and associations duly constituted in either country are authorized to exercise

their rights in the other conformably to its laws, with special reference to actions in courts of justice. (Art. VIII.)

(f) Consular jurisdiction of disputes between officers and crews arising on merchant vessels at sea or in territorial waters of either country, with special reference to salaries and execution of contracts. (Art. XV.)

(g) Local authorities to assist consular officers in recovery of seamen deserters. (Art. XVI.)

V. Exceptions.—Provisions of this treaty do not apply to:

(a) The coasting trade of either country, which is regulated by its national laws. (Art. XIV.)

(b) Special advantages accorded by either country exclusively to bordering States (or by Spain to Morocco), to facilitate frontier traffic. (Art. XIX.)

(c) Specified African possessions of Spain. (Art. XX.)

Treaties with Sweden.

No. 384.

Treaty of commerce and navigation between Japan and Sweden.

SIGNED 19 May, 1911, at Stockholm. Ratifications exchanged 12 July, 1911, at Tokyo. Effective from 17 July, 1911, until 16 July, 1923, and thereafter terminable on 12 months' notice from either party. (Art. XX.)

TEXT: French, Japan Tr. 1918: 425-32; Martens 93: 496-505; B. F. S. P. 105: 719-27.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) in regard to all favors, privileges, and immunities whatever concerning commerce, navigation, and industry. (Art. XVIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All matters concerning travel, residence, studies and investigations; exercise of trades and professions; conduct of industrial and manufacturing enterprises; and trading in all articles of lawful commerce. (Art. I, 1.)

(b) Right to possess, rent, and occupy houses, factories, warehouses, shops and other premises, and to lease lands for residential and lawful commercial, industrial, or other purposes. (Art. I, 2.)

(c) Payment of imposts, taxes, or contributions of every kind. (Art. I, 5.)

(d) All privileges, liberties, rights, imposts, or charges concerning transmission of personal property by will or otherwise, and disposal in any manner of all kinds of property lawfully acquired. (Art. I, 6.)

(e) All privileges, exemptions, and immunities accorded to consular officers in either country. (Art. III.)

(f) Right to enter with ships and cargoes all places, ports, and rivers open to foreign commerce in the territories of either nation, subject to the laws of the country. (Art. V.)

(g) All duties or charges imposed by either country on exportation of any article to the other. (Art. VI.)

(h) Any prohibitions or restrictions imposed by either country against imports or exports to or from the other, except for sanitary reasons and to protect animals or useful plants. (Art. VI.)

(i) Treatment by either country of merchants, manufacturers, and commercial travelers from the other regarding facilities for purchasing goods or soliciting orders, and any imposts relating thereto. (Art. VII.)

(j) All facilities, privileges, and immunities granted by either country to vessels performing a regular postal service. (Art. XIII.)

(k) Any favors which either country may grant in respect of its coasting trade. (Art. XIV.)

II. National or most-favored-nation treatment is reciprocally pledged in regard to dues for tonnage, transit, canal, port, pilotage, lighthouse, quarantine, and any similar dues or charges, under whatever name and no matter by whom or how levied in territorial waters of either nation on ships of the other, from whatever place arriving, and whatever their destination. (Art. XII.)

III. National treatment is reciprocally pledged in regard to:

(a) All rights and privileges relating to administration of justice, with special reference to protection and security of persons and property, and access to judicial tribunals. (Art. I, 3.)

(b) Exemption of dwellings and other premises from domiciliary visits or search, and of books, papers, or accounts from inspection or examination; except under conditions and with legal forms applying to citizens of the country. (Art. II.)

(c) All articles which may be legally imported into, or exported from, either country in its own vessels, may likewise be imported or exported in ships of the other, from whatever place arriving and for any destination, without paying other or higher dues or charges of whatever kind, and subject to the same bounties or drawbacks, as when carried in national vessels. (Art. IX.)

(d) All privileges and facilities concerning the stationing, loading or unloading of ships in territorial waters of either nation. (Art. X.)

(e) Assistance, protection, and immunities accorded by either country to vessels seeking refuge from damage or shipwreck, so far as permitted by duties of neutrality. (Art. XVII.)

(f) All military requisitions or contributions. (Art. I, 4.)

IV. Other provisions.

(a) Customs duties levied by either country on importation of products of the other are to be regulated by special arrangements between both nations, or by domestic legislation in either country. (Art. VI.)

(b) Right of vessels of either nation to load or discharge foreign cargo at different ports of the other on the same voyage, but coasting trade is expressly excepted. (Art. XIV.)

(c) Reciprocal duty-free admission by either country of commercial travelers' samples from the other, subject to regulations and formalities relating thereto. (Art. VII.)

(d) Commercial, industrial, and financial companies and associations duly constituted in either country are authorized to exercise their rights in the other conformably to its laws, with special reference to actions in courts of justice. (Art. VIII.)

(e) Exemption of each other's citizens from all compulsory military service by land or sea, from all contributions in substitution therefor, and from any forced loans. (Art. I, 4.)

(f) Consular administration of estates of their deceased nationals. (Art. IV.)

(g) Consular jurisdiction of disputes between officers and crews arising on merchant vessels at sea or in territorial waters of either country, with special reference to salaries and execution of contracts. (Art. XV.)

(h) Local authorities to assist consular officers in recovery of seamen deserters. (Art. XVI.)

V. Exceptions.—The provisions of this treaty do not apply to the coasting trade of either country, which is regulated by its national laws. (Art. XIV.)

VI. Application to colonies, etc.—The provisions of this treaty are applicable to all territories and possessions belonging to, or administered by, either country. (Art. XIX.)

No. 385.

Special and reciprocal customs convention between Japan and Sweden.

SIGNED 19 May, 1911, at Stockholm. Ratifications exchanged 12 July, 1911, at Tokyo. Effective from 17 July, 1911, until terminated by 12 months' notice from either party. (Art. VI.)

TEXT: French, Japan Tr. 1918:433-4; B. F. S. P. 105:726-7; Martens, 93:503-5.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting customs duties imposed by either country on importation of products of the other. (Art. I.)

II. National treatment is reciprocally pledged regarding internal taxes or dues levied by either country for octroi, excise, consumption,

warehousing, or transit, which must not bear more heavily on imported products of the other country than on similar articles of domestic origin. (Art. II.)

III. Other provisions.—Certificates of origin need not be produced, as a rule, but may exceptionally be required by either country as evidence of the origin of articles imported from the other. (Art. III.)

IV. Exceptions.—The stipulations of this convention do not apply to:

(a) Importation of products of national fisheries of either country, or of fisheries assimilated thereto. (Art. V, 1.)

(b) Exceptional tariff concessions accorded by either country to bordering States to facilitate frontier traffic. (Art. V, 2.)

(c) Special advantages accorded by Sweden to Norway exclusively. (Art. V, 3.)

V. Application to colonies, etc.—The provisions of this convention are applicable to all territories and possessions belonging to or administered by either country. (Art. IV.)

Treaty with Switzerland.

No. 386.

Treaty of commerce between Japan and Switzerland.

SIGNED 21 June, 1911, at Berne. Ratifications exchanged 20 Dec., 1911, at Tokyo. Effective from 21 Dec., 1911, until 16 July, 1923, and thereafter terminable on twelve months' notice from either party. (Art. XVI.)

TEXT: French and German (transl.), Martens 93:610-22; French, Japan Tr. 1918:438-44; B. F. S. P. 105:979-85.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) in regard to all privileges, favors, or immunities in matters of commerce, navigation, and industry, in every respect. (Art. XIV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All matters concerning exercise of industry, trades, or professions, and studies or scientific investigations in either country. (Art. I, 3.)

(b) Acquisition and possession of property of all kinds, personal or real, on condition of reciprocity, and subject to conditions and restrictions prescribed by law in either country. (Art. I, 5.)

(c) Appointment of consuls, and all rights, privileges, exemptions, or immunities accorded to them in either country (Art. IV); with special reference to administration of estates of their deceased nationals (Art. V).

(d) All duties, prohibitions, or restrictions imposed by either country on importation of products of the other, from whatever place ar-

living; except sanitary measures for protection of health, animals, or useful plants. (Art. VII.)

(e) All export duties or charges levied by either country on exportation of its products to the other. (Art. VIII.)

(f) Any prohibitions or restrictions imposed by either country on exportation of any article to the other. (Art. VIII.)

(g) Treatment by either country of merchants, manufacturers, or commercial travelers from the other regarding fees, charges, or facilities for buying and selling or soliciting orders. (Art. XI.)

(h) Exemption of each other's citizens from all compulsory military service by land or sea, and from all contributions in lieu of personal service. (Art. II.)

II. National or most-favored-nation treatment (optional), is reciprocally pledged in regard to:

(a) Payment of taxes, charges, imposts or contributions of every description (Art. I, 7.)

(b) Any forced loans or military requisitions and contributions incumbent on possession or occupation of landed property in either country. (Art. II.)

III. National treatment is reciprocally pledged in regard to:

(a) Right of citizens of either country to travel and reside in the other. (Art. I, 1.)

(b) Exercise of any lawful commerce or industry in either country, singly or jointly with nationals or other foreigners. (Art. I, 1-2.)

(c) Right to possess, rent, and occupy houses, factories, warehouses, shops, and other premises, and to lease lands for residential, commercial, industrial, or other lawful uses. (Art. I, 4.)

(d) Disposal in any manner of all kinds of property lawfully acquired in either country; including export of proceeds if sold, and all duties or charges relating thereto. (Art I, 5.)

(e) All that concerns warehousing facilities, bounties, and drawbacks. (Art. I, 8.)

(f) All rights and privileges concerning administration of justice, with special reference to security and protection of persons and property and access to courts, in person or otherwise. (Art. I, 6.)

(g) Exemption of dwellings and other premises from domiciliary visits or search, and of books, papers, or accounts from inspection or examination, except under conditions and with legal forms applying to citizens of the country. (Art. III.)

(h) Any internal dues levied in either country on production, manufacture, or consumption must not, for any reason, be higher or bear more heavily on imported products of the other country than on similar articles of domestic origin. (Art. X.)

IV. Other provisions.

(a) Exemption of each other's citizens from all compulsory military service by land or sea, from all contributions in substitution therefor, and from all forced loans and military requisitions or contributions, except those incumbent in either country on landed property. (Art. II.)

(b) Products of either country passing through territories of the other are exempt from all transit dues, whether going straight through or unloaded, stored, and reloaded. (Art. IX.)

(c) Commercial, industrial, and financial companies and associations duly constituted in either country are authorized to exercise their rights in the other conformably to its laws, with special reference to actions in courts of justice. (Art. XIII.)

V. Exceptions.—The stipulations of this treaty do not apply to:

(a) Tariff concessions accorded by either country to bordering States to facilitate local traffic within a limited zone on either side of the boundary. (Art. XV.)

(b) Products of national fisheries of either country, (Art. XV.)

(c) Special tariff favors accorded by Japan in regard to fish and other aquatic products taken in foreign waters near Japan. (Art. XV.)

VI. Application to colonies, etc.—The provisions of this treaty apply to all territories and possessions belonging to, or administered by, either country. (Art. XV.)

Treaties with the United States of America.

Treaties of Japan with the United States of America have been previously dealt with in this volume under America, United States of, Nos. 33 and 34.

LIBERIA.

Treaties with America, United States of, to Italy.

Treaties of Liberia with the following countries have been previously dealt with in this volume under:

America, United States of, No. 35.	Germany, Nos. 314 and 322.
Austria-Hungary, No. 77.	Great Britain (under British Empire), No. 168.
Belgium, No. 107.	Italy, No. 357.
Denmark, No. 266.	
France, No. 292.	

Treaty with Sweden and Norway.

No. 387.

Treaty of commerce and navigation between Liberia and Sweden and Norway.

SIGNED 1 Sept., 1863, at London. Effective from 27 July, 1864, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XI.)

TEXT: English, B. F. S. P. 101:466-9; Sweden Tr. 1910:862-4; Norwegian, Norway Tr. 1914:115-18.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any favor, preference, or immunity which either country may grant to subjects of any other State in matters of commerce and navigation. (Art. VII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of subjects of either country to reside and trade in any part of the other, and all other rights or privileges conceded to foreigners in either country. (Art. III.)

(b) Admission of Liberian vessels to colonies of Sweden and Norway, except the coasting trade, and intercourse between Sweden and Norway and the colonies. (Art. IV.)

(c) Any prohibitions or duties imposed by either country against merchandise imported from the other in vessels of any nationality, or imported in ships of the other from any port. (Art. V.)

(d) Exportation of products of either country by merchants of the other, or in ships of the other. (Art. V.)

(e) Protection and privileges accorded by either country to consular officials, as regards their persons and exercise of their official duties. (Art. VIII.)

II. National treatment is reciprocally pledged in respect to:

(a) Possession, disposal, and transmission of, or succession to, personal property of every description, by will or otherwise, and all taxes or imposts relating thereto. (Art. III.)

(b) Duties on tonnage of importation, and all charges or taxes of any kind imposed by either country on ships of the other and goods imported or exported therein, except the coasting trade of both countries and intercourse between Sweden and Norway and the colonies. (Art. IV.)

III. Other provisions.

(a) The slave trade is prohibited and declared criminal by both parties.

(b) Subjects of either country to enjoy in the other complete freedom in buying or selling without limitations or restrictions from monopolies, contracts, or other exclusive privileges of purchase or sale. (Art. III.)

(c) Subjects of either country to enjoy religious liberty in the other and full protection for persons and property. (Art. III.)

(d) Assistance and protection to vessels of either country seeking refuge in ports of the other from damage or shipwreck. (Art. VI.)

(e) Either country may, by statute law, restrict the vessels and the exports or imports belonging to subjects of the other to its regularly constituted ports of entry. (Art. X.)

Treaties with the United States of America.

Treaties of Liberia with the United States have been previously dealt with under America, United States of, No. 35.

LUXEMBURG.¹⁶³

MEXICO.

Treaties with Belgium to Japan.

Treaties of Mexico with the following countries have been previously dealt with in this volume under:

Belgium, No. 108.

China, No. 236.

Denmark, No. 267.

Ecuador, No. 282.

France, No. 293.

Germany, No. 323.

Great Britain (under British Empire), No. 169.

Honduras, No. 353.

Italy, No. 358.

Japan, No. 375.

Treaty with the Netherlands.

No. 388.

Treaty of commerce and navigation between Mexico and the Netherlands.

SIGNED 22 Sept., 1897, at Mexico. Ratifications exchanged there 12 July, 1899. Effective from 12 Oct., 1899, for five years, and thereafter terminable on 12 months' notice from either party. (Art. XVII.)

TEXT: Spanish, Mexico Tr. V g. 2: 85-92; Dutch and Spanish, Lagemans 14: 3-11; English (transl.) B. F. S. P. 89: 610-14; Martens 83: 185-9.

I. Most-favored-nation treatment is reciprocally pledged (including Dutch colonies, but subject to exceptions noted below) respecting all privileges, exemptions, and favors relating to commerce, navigation, industry, or taxes. (Art. VIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) All matters save those in respect to which national treatment is reciprocally pledged by Article I of this treaty, as noted below under III *a*; subject, however, to not derogating from the legal distinctions between persons of western and those of eastern origin in the Dutch possessions of the Eastern Archipelago. (Art. I.)

(b) Conditions and duties of whatever kind imposed by either country on importation of products of the other, and on merchandise coming from the other, except the exemption from import duties granted to native States of the Eastern Archipelago on their produce imported into Dutch colonies. (Art. II.)

(c) All matters concerning transit and navigation, including treatment of vessels and cargoes, except privileges granted in the Dutch colonies to native States of the Eastern Archipelago. (Arts. III and V.)

¹⁶³ See page 546, note 128.

(d) Any prohibitions or restrictions established by either country against the other regarding importation or exportation, except in connection with war, and except sanitary measures to prevent spread of epizootic diseases and destruction of crops. (Art. IV.)

(e) All rights, privileges, and immunities extended to diplomatic and consular agents by either country. (Arts. XI-XIII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged regarding protection in all matters relating to ownership of trade or commercial marks. (Art. VII.)

III. National treatment is reciprocally pledged in regard to:

(a) Exercise of commerce and industry, payment of taxes, and acquisition or disposal of all kinds of personal property, subject, however, to not derogating from the legal distinctions between persons of western and those of eastern origin in the Dutch possessions in the Eastern Archipelago. (Art. I.)

(b) Freedom of conscience and religion, subject to the constitution and laws of the country. (Art. IX.)

IV. Other provisions.

(a) Limit of territorial waters on coasts of either country, for purposes of customhouse regulations and prevention of smuggling (but for no other purpose) to be 20 kilometers from the limit of low-water mark. (Art. VI.)

(b) Ample and constant protection to each other's citizens and their houses or property, but no indemnifications can be claimed for losses sustained during insurrections, civil war, or other disorders in either country, except where there has been fault or want of vigilance on the part of the Government concerned. (Art. X.)

(c) Nonintervention by diplomatic representatives in matters within jurisdiction of the civil or criminal courts, except in case of denial of justice or evident violation of existing treaties or of principles of international law. (Art. XVI.)

(d) Arbitration of differences concerning interpretation or execution of this treaty. (Art. XV.)

(e) Detailed provision concerning arrest and return of seamen deserters. (Art. XIV.)

Treaty with Nicaragua.

No. 389.

Treaty of commerce and navigation between Mexico and Nicaragua.

SIGNED 6 Nov., 1900, at Mex. co. Ratifications exchanged there 11 July, 1903. Effective from 11 Aug., 1903, and thereafter terminable on six months' notice from either party. (Art. XIV.)

TEXT: Spanish, Nicaragua Conv. Int. 1913:3-9; Mexico Tr. Vig. 2:59-64; Martens S1:23-6; English (transl.), B. F. S. P. 94:1313-15; French (transl.), Martens S3:251-4.

I. Most-favored-nation treatment is reciprocally pledged in general terms regarding all privileges, exemptions, and favors, in mat-

ters of commerce, navigation, industry, and taxes (Art. VII); and in all other matters save those in respect to which national treatment is reciprocally pledged by this treaty (Art. I).

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Any duties or conditions of whatever kind imposed by either country on importation of products of the other, or of any merchandise coming from the other. (Art. II.)

(b) All matters concerning transit, exportation, or navigation, and all operations relating to salvage of vessels. (Art. III.)

(c) Any prohibitions or restrictions established by either country against the other regarding importation or exportation; except sanitary measures to prevent spread of epizootic diseases or destruction of crops, and measures of war. (Art. IV.)

(d) All rights, privileges, and immunities accorded to diplomatic and consular agents by either country. (Art. X.)

(e) Consular administration of estates of their deceased nationals. (Art. XI.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged regarding protection of each other's citizens in all that relates to ownership of trade or mercantile marks. (Art. VI.)

III. National treatment is reciprocally pledged in general terms in all that concerns exercise of commerce and industry, payment of taxes, and the right to acquire and dispose of all kinds of personal property by purchase, sale, donation, exchange, will, or succession ab intestato. (Art. I.)

IV. Other provisions.

(a) Citizens of either State possessing professional titles valid in their own country may exercise their profession in the other, so far as permitted by its laws. (Art. VI.)

(b) Limit of territorial waters of either country (for enforcement of customs regulations and prevention of smuggling) to be 20 kilometers from the line of low water. (Art. V.)

(c) Citizens of either country to enjoy complete freedom of conscience in the other, and right to practice their religion in the manner permitted by the constitution and laws of the country. (Art. VIII.)

(d) Protection of each other's citizens as regards their persons, houses, and property; but neither Government to be responsible for losses sustained by citizens of the other during insurrection or civil war, except in case of fault or neglect on the part of authorities concerned. (Art. IX.)

(e) Arbitration of disputes concerning interpretation or execution of this treaty. (Art. XII.)

(7) Diplomatic representatives not to intervene officially in matters within jurisdiction of the courts, except in case of denial of justice, or of evident violation of treaties, or of principles of international law. (Art. XIII.)

Treaty with Norway.

See Sweden and Norway, No. 392.

Treaty with Persia.

No. 390.

Treaty of friendship and commerce between Mexico and Persia.

SIGNED 14 May, 1902, at Washington. Effective from 12 May, 1903 for indefinite term, subject to termination on 12 months' notice by either party. (Art. VI.)

TEXT: French (authentic), B. F. S. P. 96:173-5; Spanish, Mexico Tr. Vig. 2:105-8.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting all rights, liberties, favors, and immunities which either country may accord as regards persons or property to the subjects or citizens of any other nation. (Art. III.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Admission of diplomatic and consular officers, and all rights, privileges, favors, immunities, and exemptions accorded to them in either country. (Art. II.)

(b) All duties imposed by either country on products of the other, whether on importation, consumption, warehousing, reexportation, or transit. (Art. IV.)

(c) Any prohibitions imposed by either country against the other regarding importation or exportation of any article whatever; except:

(1) Special measures for sanitary purposes or to prevent propagation of epizootic diseases and destruction of crops.

(2) Measures connected with war. (Art. IV.)

II. Other provisions.—Arbitration of any difficulties arising between the two countries which are capable of a peaceful settlement. (Art. V.)

Treaty with Russia.¹⁶⁴

No. 391.

Convention between Mexico and Russia regarding commercial relations and coasting trade.

SIGNED 2 Oct., 1909, at St. Petersburg. Ratifications exchanged there 27 Apr., 1910. Effective from 27 June, 1910, until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. IV.)

TEXT: French, B. F. S. P. 102:684-5; Martens 90:600-1.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) with regard to im-

¹⁶⁴ See p. 757, note 195.

port and export tariffs, customs formalities, transit and tonnage duties, and with regard to admission and treatment of diplomatic and consular officers and of citizens and vessels of either country in the territory of the other. (Art. I.)

II. Exceptions.—The provisions of this convention do not apply to:

(a) Favors which either country may grant to bordering States to facilitate local traffic in the frontier zone. (Art. II a.)

(b) Stipulations regarding commercial relations of Russia with the States and bordering countries of Asia. (Art. II b.)

(c) Favors which Russia may grant to inhabitants of the District of Archangel concerning importation or exportation, or regarding trade with the northern and eastern coasts of Siberia. But imports from Mexico into these territories are entitled to the benefit of all customs facilities extended to any European State, or to the United States of America. (Art. III a.)

(d) The coasting trade of both countries, which is reserved for regulation by their respective laws. (Art. III b.)

Treaty with Sweden and Norway.

No. 392.

*Treaty of commerce and navigation between Mexico and Sweden and Norway, as amended by protocol of 15 Dec., 1885.*¹⁶⁵

SIGNED 29 July, 1885, at Mexico. Effective from 20 Aug., 1886, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. XXVIII.)

TEXT: French, B. F. S. P. 76:197-208; Sweden Tr. 1910:883-92; Spanish, Mexico Tr. Vig. 2:65-83; Norwegian, Norway Tr. 1914:125-37.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting any privilege, favor, or immunity which either country may accord in matters of navigation or commerce. (Art. XI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right to enter with ships and cargoes all ports, places, and rivers open to foreign commerce in either country. (Art. II.)

(b) All duties and formalities imposed on merchant vessels of either country loading or discharging foreign cargo at different ports of the other on the same voyage; but coasting trade is excepted. (Art. III.)

(c) Any concessions or favors which either country may grant in respect to its coasting trade, on condition of reciprocity. (Art. III.)

(d) All duties, imposts, charges, or emoluments of any kind levied on ships of either country in ports of the other for tonnage, light-

¹⁶⁵ French, Martens 63:681-94.

house, pilotage, quarantine, salvage, or assistance in case of damage or shipwreck. (Art. IV.)

(e) Facilities to be conceded in ports of either country to steamships of the other maintaining a periodical service between the two countries. (Art. V.)

(f) Application of stipulated limit of territorial waters of either country for purposes other than those stated below under III *d*. (Art. VII.)

(g) Importation and exportation. Any objects of commerce which may be lawfully imported into or exported and reexported from either country in vessels of any foreign country may likewise be imported, exported, or reexported in ships of the other, from whatever place arriving and for any destination, without paying other or higher duties than when carried in vessels of any foreign country. (Art. VIII.)

(h) Any duties which either country may impose on importation, reexportation, or transit of products of the other. (Art. IX.)

(i) Any duties imposed by either country on exportation of any merchandise to the other. (Art. IX.)

(j) Any prohibitions established by either country against the other regarding importation, exportation, or transit of merchandise. (Art. IX.)

(k) Ports, rivers, and localities in either country where warships of the other may enter. (Art. XIV.)

(l) All favors and privileges which either country may accord to diplomatic agents. (Art. XXI.)

(m) Admission of consular officers and all privileges, rights, and exemptions conceded to them by either country. (Art. XXII.)

II. National treatment is reciprocally pledged in general terms respecting all civil rights established by law in either country, unless otherwise provided by this treaty. (Art. XIX.)

National treatment is further reciprocally pledged in regard to:

(a) Assistance and protection to be given to vessels of either country wrecked or damaged on coasts or in waters of the other, and payment of salvage or other expenses incidental thereto. (Art. XIII.)

(b) All rights and conditions concerning acquisition and possession of personal property in either country. (Art. XVI.)

(c) All liberties, rights, and obligations concerning disposal of, or succession to, property in either country, by will or otherwise in any manner, and all conditions or formalities relating thereto, including any duties or restrictions on exportation of property or of proceeds, if sold. (Art. XVI.)

(d) Protection of citizens of either country residing in the other, as regards their persons, dwellings, and property, with special reference to observance of conditions and legal forms relating to arrest, detention, and domiciliary visits by officials of either country. (Art. XVII.)

(e) Access to courts of justice in either country, and right to employ advocates or other agents therein; and any imposts, restrictions, or conditions relating thereto. (Art. XVII.)

(f) Any taxes, contributions, or charges imposed by either country on subjects or citizens of the other, except hunting licenses and fees of commercial travelers payable in Sweden and Norway by all foreigners, and analogous contributions which Mexico reserves the right to impose. (Art. XVIII.)

(g) Any military charges, requisitions, contributions, or forced loans imposed on landed property in either country. (Art. XVIII.)

(h) Charges or obligations of any kind imposed by either country on property or merchandise belonging to citizens of the other in case of war between the two countries. (Art. XX.)

III. Other provisions.

(a) Citizens of either country may reside in any part of the other, and may hire and occupy houses, stores, and other premises for purpose of wholesale or retail commerce on condition of observing the laws and regulations of the country. (Art. II.)

(b) Tonnage dues payable by vessels of either country in ports of the other (as defined) shall be calculated on tonnage shown by ships' papers. (Art. IV.)

(c) In all matters concerning police of the ports, loading and unloading of vessels, and protection of merchandise, citizens of either country are subject to the laws and regulations in force. (Art. VII.)

(d) Limit of territorial waters on coasts of either country (for all purposes concerning application of customs regulations and prevention of smuggling) to be three sea leagues from the line of low tide. (Art. VII.)

(e) Merchant vessels of either nation in ports and territorial waters of the other are subject to the jurisdiction of the country in matters concerning crimes or offenses committed on board by or against persons who do not belong to the crew, or as between members of the crew in case the peace of the port is disturbed thereby. (Art. VII.)

(f) Exemption of vessels from tonnage dues in ports of either country under conditions stated. (Art. X.)

(g) Extensive and detailed provisions concerning assistance and protection to citizens and vessels of either country seeking refuge from damage or shipwreck in ports or territories of the other. (Arts. XII, XIII.)

(h) Warships of either country are not subject to jurisdiction of the other, even in its territorial waters, except observance of port and fiscal regulations, and measures of sanitary police. (Art. XIV.)

(i) Acquisition and possession of real property are subject to the laws of each country. Citizens of either country inheriting landed property in the other, if unable to hold it as aliens, are given three years to dispose of the same. (Art. XVI.)

(j) Both countries reserve the right to exclude or expel from their territories any persons who because of their evil life and conduct are deemed undesirable. (Art. XVII.)

(k) Judicial commissions of either country shall be executed in the other in accordance with its laws if transmitted through diplomatic channels. (Art. XVII.)

(l) Complete liberty of conscience and of religious worship in either country, on condition of observing the laws. (Art. XVII.)

(m) Citizens of either country are exempt in the other from all compulsory military service by land or sea, and from all contributions in substitution therefor; except police functions for protection of property or preservation of public order. (Art. XVIII.)

(n) Ships and other properties of citizens of either country are exempt in the other from seizure or detention for military expeditions or any public service whatever, without just indemnification allowed in advance. (Art. XVIII.)

(o) In cases where laws of either country impose restrictions or incapacities on citizens of the other with regard to exercise of civil rights, similar restrictions may be imposed by the other country on citizens of the former. (Art. XIX.)

(p) Each nation reserves the right to impose restrictions on liberties regarding exercise of civil rights by citizens of the other, in cases where similar restrictions are imposed on its own citizens by the laws of the other country. (Art. XIX.)

(q) In case of war between the two countries, citizens of either residing in the other may continue their business or employment without interruption so long as they behave peaceably and observe the laws of the country, their property of every description to be exempt from sequestration or confiscation. In case they prefer to leave the country they shall be free to arrange for security or disposal of their property and be given safe conduct to a port of their own selection. (Art. XX.)

(r) Diplomatic representatives not to intervene officially in matters within the jurisdiction of the courts, except for denial of justice, or for violation of treaties or principles of international law. Neither Government to be responsible for injuries or exactions suffered by foreigners from insurgents or rebels during insurrection or civil war, except in case of fault or neglect on the part of the authorities concerned. (Art. XXI.)

(s) Arbitration of disputes concerning interpretation or execution of this treaty. (Art. XXVI.)

IV. Exceptions.—The coasting trade is reserved by both countries for their respective national vessels exclusively. (Art. III.)

MONACO.

Treaties with France.

Treaties of Monaco with France have been previously dealt with in this volume under France, No. 294.

MONTENEGRO.

Treaties with Austria-Hungary to Italy.

Treaties of Montenegro with the following countries have been previously dealt with in this volume under :

Austria-Hungary, No. 78.

Bulgaria, No. 213.

Egypt (under British Empire), No. 207.

France, No. 295.

Germany, No. 324.

Great Britain (under British Empire), No. 170.

Greece, No. 341.

Italy, No. 359.

Treaty with the Netherlands.

No. 393.

Convention of commerce and navigation between Montenegro and the Netherlands.

SIGNED 8 Dec., 1908. Effective from 19 April, 1910, subject to termination on one year's notice from either party. (Art. IV.)

TEXT: Dutch and French, *Lagehuus* 17:40-2; French, *Martens* 89:883-4; B. F. S. P. 101:1039-40.

I. Most-favored-nation treatment is reciprocally and unreservedly assured in either country (including the Dutch colonies and possessions), to subjects of the other, and to merchandise of any kind coming from the other (Art. I-II); subject, however, to the following exceptions:

(a) Special favors accorded to the nations of the Dutch East Indian Archipelago. (Art. III-a.)

(b) Concessions accorded by either country to bordering States to facilitate frontier traffic. (Art. III-b.)

II. Other provisions.—Any differences concerning interpretation or application of this convention are to be submitted to arbitration of the permanent court at the Hague. (Art. V.)

Treaty with Rumania.

No. 394.

Treaty of commerce and navigation between Montenegro and Rumania.

SIGNED 7 Oct. 1911, at Cetinje. Ratifications exchanged 7 Jan., 1912. Duration indefinite, subject to termination by either party on 12 months' notice. (Art. III.)

TEXT: French, B. F. S. P. 105: 743-4; Martens 93: 312-3.

Most-favored-nation treatment is reciprocally pledged in general terms with regard to commercial relations between the two countries, with special reference to admission and treatment of subjects and vessels of either country in the other, customs tariffs on importation and exportation, customs formalities, transit, tonnage, or other duties (Art. I), except favors which either country may accord to other bordering States to facilitate local traffic (Art. II).

Treaty with Russia.¹⁶⁶

No. 395.

Treaty of commerce and navigation between Montenegro and Russia.

SIGNED 15 Dec., 1909, at Cetinje. Duration indefinite, subject to termination by either party on 12 months' notice. (Art. III.)

TEXT: French, B. F. S. P. 102: 694-5; Martens 90: 629-30.

Most-favored-nation treatment is reciprocally pledged in general terms with regard to commercial relations between the two countries, with special reference to admission and treatment of agents, subjects, and vessels of either country in the other; customs tariffs on importation and exportation; customs formalities; and transit, tonnage, or other duties (Art. I), except:

(a) Favors which either country may accord to other bordering States to facilitate local traffic.

(b) Favors regarding importation or exportation which Russia may accord to inhabitants of the Province of Archangel, or regarding the north and east coasts of Siberia.

(c) Special stipulations in the treaty of 8 May, 1838, between Russia and Sweden and Norway.

(d) Stipulations relating to commerce with Asiatic States and countries bordering on Russia. (Art. II.)

Treaty with the Serb-Croat-Slovene State.¹⁶⁷

No. 396.

Treaty of commerce between Montenegro and Serbia.

SIGNED 14 Jan., 1905, at Cetinje. Effective from 15 Apr., 1907, until terminated by either party on 12 months' notice. (Art. V.)

TEXT: French (transl.), B. F. S. P. 101: 491-3; German, Martens 88: 853-4.

I. Most-favored-nation treatment is reciprocally pledged in general terms to subjects of either country in the other; with special

¹⁶⁶ See p. 757, note 195.

¹⁶⁷ See p. 771, note 197.

reference to any facility, assistance, or commercial advantages which either party may accord to subjects of any other nation. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Right of subjects of either country to exercise industries, professions, and wholesale or retail commerce in the other; with special reference to commercial undertakings; transportation; receiving consignments; establishing warehouses and stores; acquisition and disposal of real or personal property; and payment of taxes, imposts, or charges relating to any of these. (Art. III.)

(b) Import and other duties payable in either country on products of the other, except dried fish ("saraga") imported from Montenegro. (Art. IV and Annex A.)

II. National treatment is reciprocally pledged with regard to protection and security of persons and property of subjects of either country traveling or residing in the other. (Art. II.)

III. Other provisions.—Serbia agrees to admit dried fish from Montenegro free of import duties, and subject only to a consumption duty of 6 francs per 100 kilograms. (Art. IV.)

Treaty with Switzerland.

No. 397.

Commercial entente between Montenegro and Switzerland.

SIGNED 31 Dec., 1910, at Rome. Effective from 1 July, 1911, until terminated by one year's notice from either party. (Art. II.)

TEXT: French and German, Martens 91: 550-1; French, B. F. S. P. 103: 592-3.

Most-favored-nation treatment is reciprocally pledged in general terms to citizens and products of either country in matters of commerce and customs. (Art. I.)

Treaty with Turkey.

No. 398.

Commercial convention between Montenegro and Turkey.

SIGNED 4 Mar., 1909, at Cetinje. Effective from 18 June, 1910, until terminated by 12 months' notice from either party. (Art. II.)

TEXT: French, B. F. S. P. 102: 695; Martens 90: 454.

Most-favored-nation treatment is reciprocally pledged in matters of commerce to products of either country in the other; with special reference to importation, exportation, transit, and rates of customs duties. (Art. I.)

MOROCCO.

Treaties with America, United States of, to British Empire.

Treaties of Morocco with the following countries have been previously dealt with in this volume under :

America, United States of, No. 36.

Austria-Hungary, No. 79.

Belgium, No. 109.

Great Britain (under British Empire), Nos. 171 and 172.

MUSCAT.

Treaties with America, United States of, to France.

Treaties of Muscat with the following countries have been previously dealt with in this volume under :

America, United States of, No. 37.

France, No. 296.

Great Britain (under British Empire), No. 173.

Treaty with the Netherlands.

No. 399.

Declaration for development of commercial relations between Muscat and the Netherlands.

SIGNED 7 Apr., 1877, at the Hague, and 27 Aug., 1877, at Muscat.

TEXT: French, Lagemans 7:274; B. F. S. P. 68:36-7; Martens 54:352-3.

Most-favored-nation treatment.—In consideration of the most-favored-nation treatment granted in the Netherlands and its colonies to the subjects of Muscat, most-favored-nation treatment is pledged in the territory of the Sultan of Muscat to Netherland subjects and vessels (Art. 1), with special reference to import duties levied in either country on merchandise imported from the other (Art. 2), and all matters relating to exportation from or transit through either country (Art. 3).

Treaties with the United States of America.

Treaties of Muscat with the United States have been previously dealt with in this volume under America, United States of, No. 37.

NETHERLANDS.

Treaties with America, United States of, to Muscat.

Treaties of the Netherlands with the following countries have been previously dealt with in this volume under:

America, United States of, No. 38.	Great Britain (under British Empire), Nos. 174 and 175.
Austria-Hungary, No. 80.	Greece, No. 342.
Belgium, No. 110.	Italy, No. 360.
Bulgaria, No. 214.	Japan, No. 376.
China, No. 237.	Mexico, No. 388.
Colombia, No. 250.	Montenegro, No. 393.
France, Nos. 297 and 298.	Muscat, No. 399.
Germany, No. 325.	

Treaty with Norway.

No. 400.

Treaty of commerce and navigation between the Netherlands and Norway.

SIGNED 20 May, 1912, at Christiania. Effective from 22 Aug., 1913, until terminated by 12 months' notice from either party. Replaces the treaty of 25 Sept., 1847, and the declarations of 29 May, 1847, and 29 Nov., 1856. (Art. X.)

TEXT: French, Breukelman 18: 103-7; Martens 94: 420-4; B. F. S. P. 107: 1022-6; Norwegian, Norway Tr. 1914: 145-8.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) to subjects of either country, including Dutch colonies and possessions (Art. I); with special reference to:

(a) Treatment by either country of products of the other, and of any merchandise coming from the other but produced in a country enjoying most-favored-nation treatment. (Art. II.)

(b) Any concessions or privileges accorded by either country in respect to its coasting trade. (Art. III.)

(c) All privileges, powers, and exemptions accorded to consular officers in either country, except in Dutch colonies and possessions (Art. VII), on condition of reciprocity (Art. V).

II. National treatment is reciprocally pledged by either country to ships of the other in every respect and in all circumstances, except the coasting trade, which is regulated in both countries by their respective laws. (Art. III.)

III. Other provisions relate to:

(a) Arrest and return of seamen deserters. (Art. VI.)

(b) Disputes concerning interpretation or application of this treaty to be submitted for arbitration to the permanent court at The Hague. (Art. VIII.)

IV. Exceptions.—Most-favored-nation provisions noted under I a-b above do not apply to:

(a) Concessions resulting from a customs union. (Art. VII.)

(b) Concessions granted to bordering States to facilitate frontier traffic. (Art. VII.)

(c) Special concessions granted by Norway to Sweden. (Art. VII.)

Treaty with Persia.**No. 401.***Treaty of friendship and commerce between the Netherlands and Persia.*

SIGNED 3 July, 1857, at Paris. Effective indefinitely, subject to termination on one year's notice from either party. (Art. VI.)

TEXT: French, Lagemans 4: 317-19; B. F. S. P. 47: 516-18; Persian, Persia Tr. 1908: 248-53.

I. Most-favored-nation treatment is reciprocally pledged in regard to:

(a) Reception and treatment by either country of ambassadors or ministers from the other, and all prerogatives or immunities relating thereto. (Art. II.)

(b) Protection and treatment by either country of subjects of the other, in all respects, with special reference to travelers, merchants, and manufacturers. (Art. III.)

(c) Duties levied by either country on ships of the other, and on merchandise imported or exported by subjects of the other; except special favors accorded by the Dutch East Indian colonies exclusively to Asiatic nations of the Eastern Archipelago, regarding importation of their products, or their exportations. (Art. IV.)

(d) Prerogatives, privileges, and immunities accorded to consular officers by either country. (Art. V.)

II. Other provisions.

(a) Right of subjects of either country to import or export any articles into or from the other, by land or sea, and to buy, sell, exchange, or transport the same throughout the territories of either nation; subject in matters of internal commerce to the laws of the country. (Art. III.)

(b) Right of either country to appoint three consuls in the other, to reside at places named. (Art. V.)

Treaty with Portugal.**No. 402.***Commercial declaration between the Netherlands and Portugal.*

SIGNED 5 July, 1894. Ratifications exchanged 22 May, 1896. Terminable by either party on 12 months' notice, or on 3 months' notice in the event of fiscal discrimination by the Netherlands against Portuguese wines, or unfavorable treatment of Dutch commerce and navigation in Portuguese colonies. (Art. VIII.)

TEXT: French, Lagemans 12:121-6; B. F. S. P. 86:628-31; Martens 72:591-3; French and Portuguese (transl.), Portugal Tr. 9:323-9.

I. Most-favored-nation treatment is reciprocally pledged with reference to indirect importation, transit, exportation, reexportation, and navigation. (Art. IV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Duties imposed by the Netherlands on direct importation of products of Portugal, Madeira, Porto-Santo, and Azores (Art. III), and on products of Portuguese colonies imported from Portugal (Protocol, a).

(b) Duties levied in Portugal and the islands named on direct importation of products of the Netherlands listed in Table A annexed to this agreement (Art. II), and on Dutch colonial products imported from the Netherlands (Protocol, a).

(c) Treatment of commercial establishments of either nationality established in colonies of the other, and of navigation enterprises of either country having relations already established with colonies of the other. (Protocol, c.)

II. Other provisions.

(a) Specified duties to be levied in Portugal and adjacent islands on direct importations of products of the Netherlands, and on products of Dutch colonies imported from the Netherlands, are listed in Table A annexed to this declaration. (Art. I and Annex A.)

(b) Both countries reserve complete liberty of action as regards future regulation of their colonial relations, except stipulations of the agreement of 10 June, 1893,¹⁶⁸ concerning their possessions in the archipelago of Timor and Solor. (Protocol, c.)

III. Exceptions.—Most-favored-nation treatment provisions of this declaration do not include:

(a) The concessions or favors accorded by Portugal exclusively to Spain or Brazil. (Art. VI.)

(b) Favors concerning navigation accorded by treaties of Portugal to the South African Republic and the Orange Free State. (Protocol, b.)

(c) Arbitration of differences concerning interpretation or execution of this agreement and of any other questions arising between the

¹⁶⁸ French, B. F. S. P. 85:394-6.

two countries, except matters touching their independence or autonomy. (Art. VII and exchange of notes.)

Treaty with Rumania.

No. 403.

Convention of commerce between the Netherlands and Rumania.

SIGNED 15 Mar., 1899, at the Hague. Ratifications exchanged there 22 Dec., 1899. Terminable by one year's notice from either party. (Art. V.)

TEXT: French, B. F. S. P. 92:390-1; Martens 83:211-12.

I. Most-favored-nation treatment of the citizens, vessels, and products of either country is reciprocally pledged respecting all privileges, immunities, favors, or advantages of any kind; subject to specified laws regarding commerce, industries, or public safety applying to all foreigners in either country. (Arts. I, II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Duties levied by either country on importation of products of the other, whether destined for consumption, warehousing, transit, or reexportation. (Art. II.)

(b) Duties imposed by either country on exports to the other. (Art. II.)

(c) All matters relating to transit. (Art. II.)

II. Other provisions.

(a) All merchandise passing to or from either country is exempt from all transit duties in the other. (Art. II.)

(b) Exemption of each other's citizens from all military services and extraordinary charges or requisitions, except those incumbent on possession of landed property. (Art. III.)

(c) Arbitration of disputes concerning interpretation, application, or execution of the provisions of this treaty. (Art. VI.)

III. Application to colonies.—The most-favored-nation provisions of this treaty (noted above under I) apply to the Dutch colonies and possessions, it being understood that this does not affect the legal distinctions between persons of western and eastern origin, nor the freedom from import duties and coasting trade privileges accorded to Asiatic nations of the Eastern Archipelago. (Art. IV.)

Treaty with Russia.¹⁰⁰

No. 404.

Treaty of commerce and navigation between the Netherlands and Russia.

SIGNED 13 Sept., 1846, at the Hague. Effective from 30 Oct., 1846, for 10 years, and thereafter until terminated by 12 months' notice from either party (Art. XVII.)

TEXT: French, Lagemans 3:194-202; B. F. S. P. 35:266-75; Dutch, Staatsbl. 1846, No. 62.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms (subject to exceptions noted below)

¹⁰⁰ See p. 757, note 195.

respecting any privileges, immunities, or other favors which either country may accord to subjects of any other State in matters of commerce, customs, and navigation. (Arts. II and XI.)

Most-favored-nation treatment is further pledged in regard to:

(a) Freedom of commerce and navigation for subjects and vessels of either country in all parts of the other open to foreign commerce and navigation (Art. I), with special reference to access, with ships and cargoes, to all ports and landing places. (Art. II.)

(b) All duties, taxes, or imposts under whatever name, payable by subjects of either country on exercise of commerce and industry in the other. (Art. II.)

(c) Treatment of Russian products on importation into Netherlands colonies, and of Russian vessels arriving in those colonies from whatever port, with special reference to any advantages or favors accorded in Dutch colonies to vessels and products of any other European nation. (Art. VII, 4.)

(d) Treatment of Russian vessels with regard to any advantage concerning indirect navigation which Netherlands may accord to vessels of any other country, subject to abolition of special concessions noted below under III c. (Art. VII, 4.)

(e) Any duties or prohibitions which either country may impose on importation of products of the other. (Art. XI.)

(f) Any duties or prohibitions which either country may impose on exportation of its products to the other, or on transit of products of either country through the other. (Art. XI.)

(g) All privileges, powers, and exemptions accorded to consular officers in either country. (Art. XIV.)

II. National treatment is reciprocally pledged (subject to exceptions noted below) with regard to:

(a) Protection and security of persons and property of subjects of either country traveling, residing, or conducting business in the other. (Art. II.)

(b) All privileges and liberties concerning lawful disposal of property in either country, by will or otherwise, including withdrawal of property from the country or of proceeds if sold, and any imposts relating thereto. Unclaimed property left in either country by deceased subjects of the other to receive the same care as property of native subjects in a similar case. (Art. III.)

(c) Treatment of vessels of either country in ports of the other, from whatever place arriving, in matters concerning dues for tonnage, flag, port, anchorage, pilotage, and quarantine, warehousing, and any other dues or charges of any kind, whether levied for the Government, for public officials, or for communities or establishments of any kind. (Art. V.)

(d) Equal treatment of vessels. Merchandise of any kind imported into Russia or Finland in Netherland ships from any port, or exported thence for any destination, and merchandise imported in Russian ships directly from Russia or Finland into any European port of the Netherlands, or exported therefrom in Russian vessels directly to Russia or Finland, shall pay no higher duty of importation, exportation, or transit in ports of either country than when carried in national ships. (Art. VI.)

(e) Right of Russian subjects and vessels to engage in coasting trade between Netherland ports in Europe without reciprocity. (Art. VII, 1.)

(f) Bounties, drawbacks, and similar advantages to be awarded by Netherlands to direct importations or exportations in vessels of Russia. (Art. VIII.)

(g) All favors or privileges regarding the placing, loading, or unloading of vessels in ports, basins, roadsteads, harbors, rivers, and canals of either country. (Art. X.)

(h) Purchase of imported articles. No privilege or preference to be accorded by either country, directly or indirectly, nor by any association, corporation, or agent acting in its name or under its authority, favoring purchase of articles imported in its own vessels over those imported in ships of the other. (Art. XII.)

(i) Assistance to each other's vessels in case of damage or shipwreck, and payment of dues and charges for salvage of vessels or cargoes. (XIII.)

III. Other provisions.

(a) Right of subjects of either country to manage their affairs in the other, personally or by agents of their own choice, and to bargain freely for prices in buying or selling merchandise of any kind, except when law or usage of the country requires intervention of special agents. (Art. IV.)

(b) Vessels of either country are exempt in the other from tonnage and clearance duties under conditions stated. (Art. V.)

(c) Reduction of 20% from pilotage dues is granted by the Netherlands to Russian ships bringing specified cargoes from Russia or Finland to Netherland ports (Art. VII, 2); and special tariff reduction on grain imported from Russia or Finland in Dutch or Russian vessels (Ibid., 3). These concessions to lapse in case most-favored-nation treatment is accorded to Russian vessels with regard to advantages concerning indirect navigation. (Ibid., 4.)

(d) Provisions of the ukase of 19 June, 1845, are declared to have no application whatever to direct or indirect commerce or navigation of the Netherlands. (Art. VIII.)

(c) Nationality of vessels to be recognized in accordance with ship's papers issued by competent authorities under laws of each country. (Art. IX.)

(f) Detailed provisions concerning treatment of distressed and shipwrecked vessels (Art. XIII) and duties and privileges of consuls (Art. XIV), with special reference to recovery of seamen deserters. (Art. XV.)

(g) Immunities accorded to English yacht clubs in either country are extended to yacht clubs of the other. (Art. XVI.)

IV. Exceptions.

(a) The provisions of this treaty do not apply to:

(1) Special stipulations accorded by Russia to the commerce of Sweden and Norway, in exchange for equivalent advantages accorded by those countries to Finland. (Separate Art. I and explanatory notes, 3.)

(2) Exemption from navigation dues during the first three years accorded by Russia to ships built in Russia and owned by Russians; and similar exemptions accorded in Russian ports of the Danube and of the Black Sea and the Sea of Azof to Turkish vessels (not exceeding specified tonnage) coming from ports of the Ottoman Empire on the Black Sea. (Ibid., II, 1-2.)

(3) Tariff concessions granted by Russia to inhabitants of the Province of Archangel concerning importation of furs, and of dried or salted fish, and exportation of grains and other articles named. (Ibid., 3.)

(4) The privilege of the Russo-American Co. (Ibid., 4.)

(5) The privilege concerning steamship navigation accorded to companies of Lübeck and of Havre. (Ibid., 5.)

(6) Privileges and favors which the Netherlands may accord to its citizens to encourage national construction of merchant vessels, or a special branch of that industry. (Ibid., III, 1.)

(7) Immunities or privileges concerning steamship navigation accorded by the Netherlands to its own companies. (Ibid., III, 2.)

(b) Article XI of this treaty (noted under I *f* above) does not apply to:

(1) Customs duties levied in Russia on Dutch herrings. (Explanatory notes, 1.)

(2) Tariff reductions accorded by the ukase of 9 July, 1842, to certain products of Prussia, under conditions stated. (Explanatory notes, 2.)

*Treaty with the Serb-Croat-Slovene State.*¹⁷⁰

No. 405.

Provisional declaration to regulate commercial relations between the Netherlands and Serbia.

SIGNED 17 Oct., 1881, at Vienna. Effective until terminated by three months' notice from either party.

TEXT: French, B. F. S. P. 72: 565-6; Martens 58: 173.

Most-favored-nation treatment is reciprocally pledged in respect to:

(a) Treatment by either country of products originating in or coming from the other (including Dutch colonies), with special reference to:

(1) Duties on importation, exportation, and transit.

(2) Reexportation, brokerage, warehousing, local dues, and customs formalities.

(b) Treatment by either country of consular officers from the other.

Treaty with Siam.

No. 406.

Treaty of friendship, commerce, and navigation between the Netherlands and Siam.

SIGNED 17 Dec., 1860, at Bangkok. Effective from 24 Mar., 1862, for 12 years, and thereafter subject to revision on 12 months' notice from either party. (Art. XXII.)

TEXT: English and Dutch, Lagemans 5: 108 a-r; English, B. F. S. P. 58: 262-78.

I. Most-favored-nation treatment is reciprocally pledged in respect to:

(a) Right of Netherland Government and its subjects to free and equal participation in all privileges which Siam may grant to the Government or subjects of any other nation. (Art. XXI.)

(b) Right of subjects and vessels of either country to engage in commerce and navigation in all territories of the other where trade and navigation are or may be allowed. (Art. I.)

(c) All privileges, immunities, powers, and exemptions accorded to consular officers in either country. (Art. II.)

(d) Protection and assistance to Siamese subjects in the Netherlands and its colonies, on condition of reciprocity and subject to the laws of the country. (Art. II.)

II. National or most-favored-nation treatment is pledged to Netherland vessels respecting all privileges and immunities granted to junks and to Siamese vessels (Art. XVI); with special reference to any reductions of import or export duties which Siam may later concede. (Art. XIX.)¹⁷⁰ See p. 771, note 197.

III. National treatment is pledged to Netherland subjects in Siam regarding taxation of their landed properties. (Art. VIII.)

IV. Other provisions.

(a) Right of Netherland subjects to reside in Siam within boundaries named (and beyond these limits by special permission); also to trade freely and securely in all parts of Siam without interference from any monopoly or exclusive privilege of purchase or sale. (Art. V.)

(b) Right of Netherland subjects to buy, sell, lease, or rent lands and plantations in Siam, and to rent, buy, or build houses within boundaries named, and subject to conditions stated. (Art. VIII.)

(c) Siam reserves right to cancel sale of land to Netherland subjects if not cultivated or improved within three years from date of possession. (Art. VIII.)

(d) Jurisdiction of Netherland authorities in Siam in civil and criminal cases involving Netherland subjects. (Art. IX.)

(e) Disposition of property left in either country by deceased subjects of the other. (Art. XIII.)

(f) Assistance to each other's vessels in case of damage or shipwreck. (Art. XV.)

(g) Exemption of Netherland vessels in Siamese ports from taxes of tonnage, pilotage, and from any other tax whatever, after payment of import or export duties. (Art. XVI.)

(h) Duties to be levied in Siam on merchandise imported in Netherland vessels not to exceed 3 per cent ad valorem (changed to 10 per cent in the case of beer and wine, by convention of 10 Nov., 1883), payable in money or in goods, at importers' option. (Art. XVII.)

(i) Duties to be levied on exportation of specified Siamese produce in accordance with tariff annexed to the treaty. (Art. XVIII.) These duties include transit dues and all other charges, and shall never be increased. (Arts. XVIII, XIX.)

(j) Subject to exceptions named and to payment of the duties referred to under IV *i*, Netherland subjects may freely import or export all kinds of merchandise into or from Siam, from any foreign port and for all destinations. (Art. XIX.)

(k) Extensive and detailed provisions relating to religious freedom (Art. III); registration and residential limits for Netherland subjects in Siam (Arts. IV, V); employment of Siamese subjects (Art. VI); passports (Art. VII); piracy, pillage, or robbery (Art. X); arrest of criminals and recovery of seamen deserters (Art. XI); bankruptcy (Art. XII).

(l) Regulations for conduct of Netherland trade in Siam. (Annex.)

(m) Tariff of export and inland duties to be levied in Siam, subject to exceptions stated. (Annex, Arts. I, II.)

Treaty with Spain.

No. 407.

Declarations between the Netherlands and Spain regulating commercial relations.

SIGNED 12 July, 1892, and 13 Nov., 1899, at Madrid. Ratifications exchanged there 25 May, 1900. Terminable on 12 months' notice from either party.^a (Sec. 7.)

TEXT: French, Martens 70:559-61; 83:243-4; B. F. S. P. 84:111-13; 92:456; Lagemans 11:218-20; 14:140; French and Spanish, Spain Tr. 10:303-8; 12:677-8; Dutch, Staatsbl. 1893, No. 217; 1900, No. 78.

Most-favored-nation treatment is pledged with regard to:

(a) Duties payable by products of Spain and adjacent islands on importation into the Netherlands. (Decl. 1892, sec. 6)

(b) Duties payable in Spain and adjacent islands on direct importations of any articles originating in the Netherlands or its colonies, when imported direct or consigned on through bills of lading (Ibid., sec. 5 and decl. 1899, sec. 2), except favors accorded by Spain exclusively to Portugal or to France to facilitate frontier traffic (Decl. 1899, sec. 3).

Treaty with Sweden.

No. 408.

Treaty of commerce and navigation between the Netherlands and Sweden, and convention additional thereto.

SIGNED 25 Sept., 1847, at the Hague. Additional convention signed 15 Dec., 1908.¹⁷¹ Effective from 26 Nov., 1847, for five years, and thereafter terminable by 12 months' notice from either party. (Art. VIII.)

TEXT: French, B. F. S. P. 36:1143-6; Lagemans 3:218-9; Martens 46 (pt. I):152-6; Dutch, Staatsbl. 1847, No. 71.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below under IV) in all matters concerning commerce, navigation, and industry; and all duties, taxes, and charges of any kind relating thereto (Addl. conv.,¹⁷¹ Art. I), with special reference to any advantages accorded in European ports of either country to merchandise imported in ships of the other from ports of third countries (decl. attached).

II. National treatment is reciprocally pledged in respect to the following matters:

(a) Treatment of each other's vessels in European ports of either country, from whatever place arriving, with special reference to dues for port, tonnage, lighthouse, pilotage, and any other duties or charges under whatever name, whether levied for the crown or for cities or private establishments of any kind. (Arts. I, II, and VI.)

(b) Any merchandise or object of commerce legally importable into European ports of either country in its own vessels may like-

¹⁷¹ French, B. F. S. P. 102:720-2; Lagemans 17:43-4; Martens 90:300-2.

^a Terminated. See Appendix.

wise be imported in ships of the other coming direct from their home ports in Europe, without paying higher duties or charges of any kind, and subject to the same bounties, exemptions, or drawbacks as when imported in national ships. (Arts. III-V.)

(c) Any merchandise of whatever origin legally exportable from European ports of either country in its own vessels may likewise be exported in ships of the other, from whatever place arriving and whatever the destination: subject to the same duties or charges of any kind and entitled to the same bounties, exemptions, or drawbacks, as when exported in national ships. (Arts. III-V.)

III. Other provisions.

(a) Vessels of either country seeking refuge or wintering in ports of the other, and departing without having engaged in any commercial operations (as defined) are exempt from all tonnage dues. (Art. VI.)

(b) So long as this treaty continues in force, merchandise imported into European ports of either country in ships of the other from ports of third countries shall not be subjected to less advantageous conditions, as compared with treatment accorded to the national flag, than those at that time existing. (Decl.)

(c) Differences concerning interpretation or application of the additional convention of 1908 to be submitted for arbitration to the permanent court at the Hague. (Addl. conv.,¹⁷¹ Art. III.)

IV. Exceptions.—Most-favored-nation treatment does not apply to:

(a) Special favors accorded by Sweden exclusively to the subjects, merchandise, and commercial, industrial, or financial associations of Norway.

(b) Special favors accorded by the Netherlands to native States of the Dutch Eastern Archipelago.

(c) Concessions accorded by either country to bordering States to facilitate frontier traffic.

(d) Concessions resulting from a customs union. (Addl. conv.,¹⁷¹ Art. II.)

Treaty with Switzerland.

No. 409.

Treaty of friendship, commerce, and establishment between the Netherlands and Switzerland.

SIGNED 19 Aug., 1875, at Berne. Effective from 10 Sept., 1878, for 10 years, and thereafter terminable on 1 year's notice from either party. (Art. V.)

TEXT: French, B. F. S. P. 66: 585-7; Lagemans 7: 238-41.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged (including the Netherlands colonies (Art. II), but sub-

¹⁷¹ French, B. F. S. P. 102: 720-2; Lagemans 17: 43-4; Martens 90: 300-2.

ject to exceptions noted below), respecting all favors, immunities, or tariff reductions accorded by either country to the subjects, commerce, or products of any third power (Art. IV); with special reference to:

(a) Treatment by either country of subjects of the other in all matters except those in which national treatment is stipulated, as noted below under II. (Art. I.)

(b) Admission into either country of products of the other, from whatever place arriving, and of any merchandise imported from the other whatever its origin; with special reference to duties payable on importation, under whatever name. (Art. II.)

(c) All matters concerning transit and exportation. (Art. III.)

(d) Any prohibitions or local charges imposed by either country affecting the subjects, commerce, or products of the other. (Art. IV.)

II. National treatment is reciprocally pledged (subject to reservations noted below under III *c-f*), in regard to:

(a) All matters concerning residence and establishment of subjects of either country in the other. (Art. I.)

(b) Exercise of commerce, industry, and professions. (Art. I.)

(c) Right to acquire and dispose of or succeed to all kinds of property, movable or immovable, in any matter whatever by will or otherwise. (Art. I.)

(d) Payment of taxes and freedom of religion. (Art. I.)

III. Exceptions and reservations.—Most-favored-nation provisions of this treaty do not apply to:

(a) Legal distinctions between persons of occidental and oriental origin in Netherland possessions of the Eastern Archipelago. (Art. I.)

(b) Duty-free admission into Netherland colonies of products of native States of the Eastern Archipelago. (Art. II.)

National treatment provisions are subject to the following reservations:

(c) Passports or other authentic certificates of nationality may be required of subjects of either country desiring to reside or establish themselves in the other. (Addl. protocol 24 Apr., 1877.¹⁷²)

(d) Subjects of either country who are paupers or become charges on public charity in the other may be returned. (Ibid.)

(e) Subjects of either country disturbing the peace or public order in the other, or threatening its internal or external security, may be expelled or interned. (Ibid.)

(f) Right of either country to expel criminal subjects of the other. (Ibid.)

¹⁷² French, B. F. S. P. 68: 34-5; Martens 54: 691.

Treaty with Turkey.**No. 410.***Commercial capitulations between the Netherlands and Turkey.*

SIGNED 15 Sept., 1680, at Constantinople. No time limit stated.

TEXT: French, B. F. S. P. 100: 755-65.

I. All stipulations contained in the capitulations of Turkey accorded to France¹⁷³ and England¹⁷³ are confirmed in favor of the Netherlands. (Art. XL.)

II. Detailed and extensive provisions concerning privileges and liberties of Netherland subjects and their right to engage in trade and commerce in Turkish dominions, of which the more important relate to:

(a) Dutch jurisdiction of disputes between Netherland subjects in Turkey. (Art. V.)

(b) Right of Netherland subjects to enter Turkish dominions by land or sea and to exercise commerce therein. (Art. XXVI.)

(c) Assistance to Netherland ships in distress. (Arts. XXIV and XXVII.)

(d) In case a Netherland subject absconds to avoid paying his debt or to escape punishment for any fault or crime no other Dutchman shall be held in his place unless surety or bail has been given. (Arts. XXVIII and XXX.)

(e) Disposal of property of Netherland subjects dying in Turkish dominions. (Art. XXIX.)

(f) If a Dutch merchant turns Moslem, merchandise and money in his possession belonging to other Dutch merchants are to be turned over to the ambassador or consul for restitution to the owners. (Art. XLVIII.)

Treaties with the United States of America.

Treaties of the Netherlands with the United States have been previously dealt with in this volume under America, United States of, No. 38.

¹⁷³ See Nos. 312 and 199.

NEW ZEALAND.

See British Empire, page 290, note 40.

NEWFOUNDLAND.

See British Empire, page 290, note 40.

NICARAGUA.

Treaties with Austria to Mexico.

Treaties of Nicaragua with the following countries have been previously dealt with in this volume under:

Austria, No. 63.

France, No. 299.

Germany, No. 314.

Great Britain (under British Empire), No. 176.

Italy, No. 361.

Mexico, No. 389.

Treaty with Spain.

No. 411.

Treaty of recognition, peace, and friendship between Nicaragua and Spain.

SIGNED 25 July, 1850, at Madrid. Duration indefinite.

TEXT: Spanish, Spain Tr. 2:46-51; English (transl.), B. F. S. P. 39:1331-8.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting any concessions or favors granted by either country in matters of commerce and navigation. (Art. XII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Duties imposed by either country on produce, goods, and merchandise imported from or exported to the other, and payment of port dues incidental thereto. (Art. XII.)

(b) Exercise of trades and professions in either country, and right to possess, purchase, and sell, by wholesale or retail, all kinds of goods and property, movable or immovable, and to dispose of or succeed to the same, by will or otherwise; all in conformity with the laws of the country. (Art. X.)

(c) All ordinary taxes payable in either country by citizens of the other on account of occupation, trade, or property. (Art. XI.)

(d) All privileges, immunities, or exemptions granted to diplomatic or consular agents by either country. (Art. XIV.)

(e) Spanish subjects, vessels, and merchandise to enjoy any advantages or exemptions granted by Nicaragua in connection with interoceanic transit by canals or railways. (Art. XIII.)

II. Other provisions.

(a) Exemption of each other's citizens from military service by land or sea, from all extraordinary taxes or imposts, and from forced loans. (Art. XI.)

(b) Protection and neutrality of interoceanic communications through Nicaraguan territory. (Art. XIII.)

(c) Consular cooperation with local authorities for care of property of citizens of either country dying intestate in the other, and in salvage of shipwrecked vessels. (Art. XV.)

(d) Assistance to each other's diplomatic and consular agents for recovery of seamen deserters. (Ibid.)

NORWAY.

Treaties with America, United States of, to the Netherlands.

Treaties of Norway with the following countries have been previously dealt with in this volume under:

America, United States of, No. 39.	Great Britain (under British Empire), No. 196.
Argentina, No. 62.	Greece, No. 348.
Austria-Hungary, No. 81.	Italy, No. 371.
Belgium, No. 111.	Japan, Nos. 377 and 378.
Bulgaria, No. 215.	Liberia, No. 387.
China, No. 238.	Mexico, No. 392.
Denmark, No. 275.	Netherlands, No. 400.
France, Nos. 300 and 310.	

Treaty with Persia.

See Persia—Sweden and Norway, No. 421.

Treaty with Rumania.

No. 412.

Convention of commerce and navigation between Norway and Rumania.

SIGNED 31 Mar., 1910, at Stockholm. Ratifications exchanged 17 June, 1910, at Berlin. Effective from 2 July, 1910, terminable on 12 months' notice by either party. (Art. VII.)

TEXT: French, B. F. S. P. 103: 608-9; Norwegian, Norway Tr. 1914: 168-70.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) with regard to all rights, immunities, advantages, and exemptions concerning exercise of commerce and industry in either country, and all imposts relating thereto; subject to special laws and regulations applying to all foreigners in matters of establishment, commerce, industry, and police. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment by either country of imported products of the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of duties. (Art. II.)

(b) Export duties imposed by either country on merchandise exported to the other. (Art. II.)

(c) Any advantages or reduction of duties which either country may accord to another State with regard to matters mentioned above under I *b* and *c*. (Art. II.)

(d) Treatment to be accorded in either country to ships of the other and their cargoes (V).

(e) Exceptional prohibitions which either country may impose on importation, exportation, or transit (Art. IV), as noted below under II *b*.

II. Other provisions.

(a) Certificates of origin may be required by either country for reasons stated. (Art. III.)

(b) Neither country to obstruct its commerce with the other by any prohibitions against importation, exportation, or transit, except in the following cases applying to all countries under the same conditions:

(1) Munitions of war in exceptional circumstances. (Art. IV, 1.)

(2) Reasons concerning the internal safety of the State. (Ibid., 2.)

(3) Sanitary measures, or to prevent spread of epizootic diseases and destruction of plants by insects or noxious parasites. (Ibid., 3.)

(4) Application to foreign merchandise of prohibitions or restrictions imposed by internal laws on production, sale, or transportation of similar articles of domestic production. (Ibid., 4.)

(5) Articles of State monopoly. (Ibid., 5.)

(c) Nationality of vessels to be recognized in accordance with ships' papers issued by competent authorities under laws of each country. (Art. V.)

III. Exceptions.—The stipulations of this convention do not apply to special advantages which Norway may accord exclusively to Sweden or Denmark. (Final protocol.)

Treaty with Siam.

See Siam—Sweden and Norway, No. 453.

Treaties with Sweden.

No. 413.

Convention between Norway and Sweden respecting goods in transit.

SIGNED 26 Oct., 1905, at Stockholm. Effective from 1 Jan., 1906, for 30 years, and thereafter for further like periods unless denounced by either party at least five years before termination of the first 30-year period. (Art. VI.)

TEXT: French, B. F. S. P. 98: 826-8.

(a) Neither country to prevent or hinder transit of merchandise passing to or from the other by prohibitions against importation or exportation, obstruction of transportation, or by any other means; except in the following cases:

(1) Temporary prohibitions or restrictions required by international law, or by considerations of neutrality or public security as regards:

(a) Transit of arms and munitions or materials of war in case of hostilities with or between third countries, or in other extraordinary circumstances.

(b) Transit of contraband merchandise in time of war.

(2) Measures to prevent introduction or propaganda of epidemics or of epizootic diseases. (Art. I.)

(b) Merchandise in transit to or from either country is exempt from customs and similar duties, as well as from transit dues. (Art. II.)

(c) Merchandise in transit transported by railways shall be treated in the country of transit no less favorably than similar merchandise in general, with special reference to transport charges. (Art. III.)

(d) Merchandise in transit and vessels transporting the same shall not be subject in the country of transit to port, navigation, or other duties of whatever kind higher than applied to international traffic in merchandise of the same kind; subject to the right of communes to levy port dues in accordance with general laws. (Art. IV.)

(e) The foregoing provisions to apply even in case merchandise in transit is reshipped in the country of transit. (Art. V.)

(f) Arbitration of disputes concerning interpretation or application of this convention, and statement of procedure relating thereto. (Art. VIII.)

No. 414.

Convention between Norway and Sweden concerning lakes and waters in common.

SIGNED 26 Oct. 1905, at Stockholm. Effective from 1 Jan. 1906, for 50 years, and thereafter for further like periods unless denounced by either party at least five years before termination of the first 50-year period. (Art. V.)

TEXT: French, B. F. S. P. 98:828-30.

I. National treatment is reciprocally pledged to citizens of either country in the other with regard to:

(a) All rights and conditions concerning utilization of lakes and water courses common to both countries, and facilities for enforcement of personal and property rights relating thereto. (Art. I.)

(b) All rights and liberties concerning the opening, maintenance, and utilization of water courses for navigation or rafting. (Art. III.)

II. Other provisions.

(a) Conformably to general principles of international law, it is understood that utilization and modification of lakes and water courses common to both countries in manner described cannot be undertaken by either country without consent of the other. (Art. II.)

(b) This convention applies to all lakes and water courses common to both countries, defined as including those which serve as boundary between the two countries, or are situated in the territory of both, or which empty into such lakes and water courses. (Art. IV.)

(c) Arbitration of disputes concerning interpretation or application of this convention, and statement of procedure relating thereto. (Art. VI.)

Treaty with Switzerland.

No. 415.

Exchange of notes between Norway and Switzerland granting reciprocal most-favored-nation treatment.

SIGNED 5/22/28 May, 1906. at Berlin. Effective from 27 May, 1906, until conclusion of a new commercial arrangement.

TEXT: French, B. F. S. P. 102:734-5; Norwegian, Norway Tr. 1914:183-4.

Most-favored-nation treatment is reciprocally pledged to the citizens and products of either country in matters of establishment and commerce, on condition of reciprocity, except special favors which either country may accord to bordering States to facilitate frontier traffic, and special concessions accorded by Norway to Sweden.

Treaty with Turkey.

No. 416.

Protocol between Norway and Turkey securing reciprocal most-favored-nation treatment in commercial and consular matters.

SIGNED 13 June, 1907. at Constantinople. No time limit stated.

TEXT: French, B. F. S. P. 101:515; Martens 86:814; Norwegian, Norway Tr. 1914:249.

Most-favored-nation treatment reciprocally pledged to the consuls, subjects, and commerce of either nation in territories of the other, pending conclusion of a treaty of commerce and consular convention.

Treaties with the United States of America.

Treaties of Norway with the United States have been previously dealt with in this volume under America, United States of, No. 39.

PANAMA.

Treaties with America, United States of, to Italy.

Treaties of Panama with the following countries have been previously dealt with in this volume under :

America, United States of, No. 40.

France, No. 246.¹⁷⁴

Germany, No. 314.

Italy, No. 248.¹⁷⁴

PARAGUAY.

Treaties with America, United States of, to Italy.

Treaties of Paraguay with the following countries have been previously dealt with in this volume under :

America, United States of, No. 41.	Great Britain (under British
Belgium, No. 112.	Empire), No. 177.
France, No. 301.	Italy, No. 362.
Germany, No. 326.	

Treaty with Spain.

No. 417.

Treaty of peace and friendship between Paraguay and Spain.

SIGNED 10 Sept., 1880, at Buenos Aires. Duration indefinite, subject to termination on 12 months' notice by either party. (Art. III.)

TEXT: Spanish, Spain Tr. 8:127-8; Paraguay Tr. 1890:38-9.

Most-favored-nation treatment is reciprocally pledged in regard to commerce, customs tariffs, guaranty of trade-marks, and civil rights (Art. III); also regarding all exemptions, privileges, and immunities accorded to diplomatic and consular officers (Art. II).

Treaties with the United States of America.

Treaties of Paraguay with the United States have been previously dealt with in this volume under America, United States of, No. 41.

¹⁷⁴ Concluded with Colombia.

Treaty with Uruguay.

No. 418.

Treaty of peace, friendship, and recognition of debt between Paraguay and Uruguay.

SIGNED 20 Apr., 1883, at Asuncion. Ratifications exchanged 24 Nov., 1883, at Montevideo. No time limit stated.

TEXT: English (transl.), B. F. S. P. 74: 696-8.

(a) All navigable rivers of either country remain open to the lawful commerce of vessels of the other. (Art. VII.)

(b) Arbitration of differences between the two countries. (Art. VIII.)

(c) Provisions concerning settlement of debts and claims for damages occasioned by the war of 1865. (Arts. II-VI.)

PERSIA.

Treaties with America, United States of, to Norway.

Treaties of Persia with the following countries have been previously dealt with in this volume under:

America, United States of, No. 42.	Great Britain (under British Empire), Nos. 178 and 179.
Argentina, No. 60.	Greece, No. 343.
Austria-Hungary, No. 82.	Italy, No. 363.
Belgium, No. 113.	Mexico, No. 390.
Chile, No. 225.	Netherlands, No. 401.
Denmark, No. 263.	Norway. See Sweden and Norway, No. 421.
France, No. 302.	
Germany, No. 327.	

Treaty with Russia.¹⁷⁵

No. 419.

Treaty of commerce between Persia and Russia, and convention regulating commercial relations.

SIGNED 22 Feb., 1828, and 9 Nov., 1901.¹⁷⁵ at Tourkmautchai and Teheran, respectively. Duration indefinite.

TEXT: French, B. F. S. P. 45: 865-8.

I. Most-favored-nation treatment is pledged with regard to:

(a) Treatment of Persian subjects in Russia as regards enjoyment of all rights and prerogatives accorded to subjects of any other power. (Art. I.)

(b) Russian import duties on exports of Persia not enumerated in tariff B annexed to the convention of 1901, which shall be the lowest duties applicable to similar imports from any other country, except China and other neighboring Asiatic countries. (Conv.,¹⁷⁶ Art. II.)

(c) Taxes which Persia may levy on Russian merchandise for upkeep of roads, under conditions stated. (Conv.,¹⁷⁶ Art. IV.)

(d) Russian customs procedure applicable to commerce of Persian subjects on importations or exportations. (Conv.,¹⁷⁶ Art. V e.)

II. Other provisions.

(a) The treaty of 1828 contains extensive and detailed provisions concerning right of subjects of either country to exercise commerce

¹⁷⁵ See p. 757, note 195.

¹⁷⁶ French, B. F. S. P. 96: 1279-82.

in the other (Art. I); treatment of property left by deceased Russians in Persia (Ibid.); registration of contracts and other written instruments between subjects of both countries (Art. II); commerce with powers at war with either country (Art. IV); right of Russians to acquire houses, stores, and other premises in Persia, and exemption thereof from search or inspection by Persian officials (Art. V); and administration of justice (Arts. VI-VIII).

(b) Merchandise exported from Russia to pay in Persia the customs duties provided in tariff A annexed to the convention of 1901, and no further duties or charges of any kind, except charges referred to below under II *g*. (Conv.,¹⁷⁶ Art. II.)

(c) Persian products exported to Russia shall pay in Russia duties provided in tariff B above mentioned, and shall be free from any duty or other charge on exportation from Persia, subject to exceptions referred to below under II *g*. (Ibid.)

(d) Regulations concerning Russian export duties and products prohibited from importation into Russia are declared applicable to Persian traffic in Russia. (Ibid.)

(e) The 5 per cent export duty of Persia is abolished, except duties on products enumerated in tariff C annexed to the convention of 1901. (Conv.,¹⁷⁶ Art. III.)

(f) Merchandise may be freely exported from either country to the other, except articles prohibited in the interests of public health or safety, and food products required in the country of production (Ibid.)

(g) Detailed and extensive provisions concerning taxes which Persia may levy on Russian merchandise for upkeep of roads (Conv.,¹⁷⁶ Art. IV); improvement of Persian customs administration; commercial routes; warehousing regulations and charges (Conv.,¹⁷⁶ Art. V); definition of Russian and Persian units of weight; adjustment of duties to monetary exchange rates between the two countries (Conv.,¹⁷⁶ Art. VI); and application of this convention and of Tariffs A and C to all frontiers of Persia (Conv.,¹⁷⁶ Art. VII).

Treaty with Spain.

No. 420.

Treaties of friendship and commerce between Persia and Spain.

SIGNED 4 Mar., 1842, at Constantinople, and 9 Feb., 1870, at London. Ratifications exchanged 13 Nov., 1850, and 18 June, 1872, respectively. Duration indefinite. Stipulations of the treaty of 1842 to be considered integral parts of the treaty of 1870. (Art. I.)

TEXT: French and Spanish, Spain Tr. 2: 65-7; 6: 45-9; Persian, Persia Tr. 1908: 21-30; English (transl.) B. F. S. P. 58: 592-5; 62: 878-80.

I. Most-favored-nation treatment is reciprocally pledged respecting advantages accorded by either country in matters of commerce

¹⁷⁶ French, B. F. S. P. 96: 1279-82.

(Tr. of 1870, Art. III); with special reference to payment of customs dues and other imposts in either country on imports or exports of merchandise (Tr. of 1842, Art. III).

II. Other provisions.

(a) Right of subjects of either country to travel or reside in the other and to carry on trade, rent houses, warehouses, and shops for their business, with every assistance and protection from local authorities in either country. (Ibid., Art. II.)

(b) Exemption of merchants, traders, or travelers of either country from all taxes and contributions in the other. (Ibid., Art. III.)

(c) Right of either country to appoint commercial agents and consuls in the other, to reside at places named. (Ibid., Art. IV; tr. of 1870, Art. II.)

(d) Consular intervention for settlement of disputes arising in either country between their respective subjects, and consular administration of property left in either country by deceased subjects of the other. (Tr. of 1842, Art. V.)

(e) Liquidation of bankrupt estates in either country. (Ibid., Art. V.)

Treaty with Sweden and Norway.

No. 421.

Treaty of friendship and commerce between Persia and Sweden and Norway.

SIGNED 17 Nov., 1857, at Paris. Effective from 2 Mar., 1858, for 12 years and thereafter until terminated by 12 months' notice from either party. (Art. VI.)

TEXT: French, B. F. S. P. 75: 906-8; Sverges och Norges Tr. 11: 348-51; Sweden Tr. 1910: 944-5; French and Persian, Persia Tr. 1908: 176-81; Norwegian, Norway Tr. 1914: 150-1.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) All prerogatives and immunities accorded to diplomatic agents by either country. (Art. II.)

(b) Treatment of travelers, merchants, manufacturers, and other subjects of either country in territories of the other in all respects. (Art. III.)

(c) Duties levied on ships of either country entering or leaving ports of the other, or levied by either country on merchandise imported or exported by subjects of the other; no exceptional tax of any kind to be demanded in either country under any pretext. (Art. IV.)

(d) Respect, privileges, and immunities accorded to consuls of either country at their place of residence in the other. (Art. V.)

II. Other provisions.

(a) Subjects of either country may bring into the other or export therefrom all kinds of produce and merchandise, by land or sea, and

sell, exchange, buy, and transport the same throughout the territories of either country, it being understood that internal commerce is subject to the laws of the country. (Art. III.)

(b) Right of either country to appoint three consuls in the other, to reside at places named. (Art. V.)

(c) Consuls of either country carrying on commerce in the other are subject to the same laws and usages as their nationals engaged in the same commerce. (Art. V.)

(d) Diplomatic and consular agents of either country shall not protect subjects of the other. (Art. V.)

Treaty with Switzerland.

No. 422.

Treaty of friendship and commerce between Persia and Switzerland.

SIGNED 23 July, 1873, at Geneva. Effective from 27 Oct., 1874, for 12 years and thereafter until terminated by 12 months' notice from either party. (Art. VIII.)

TEXT: French, B. F. S. P. 63:625-8; Martens 52:98-100; French and Persian, Persia Tr. 1908:181-7.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) All prerogatives and immunities accorded to diplomatic agents by either country. (Art. II.)

(b) Treatment of travelers, merchants, manufacturers, and other subjects of either country in territories of the other, in all respects. (Art. III.)

(c) Duties levied by either country on merchandise imported or exported by subjects of the other; no exceptional tax to be imposed under any name or pretext in either country. (Art. IV.)

(d) Judicial procedure to be applied in either country to subjects of the other in matters of criminal jurisdiction, and to be applied in Switzerland for settlement of any disputes involving Persian subjects. (Art. V.)

(e) Respect, privilege, and immunities accorded to consuls of either country at their place of residence in the other. (Art. V.)

II. Other provisions.

(a) Subjects of either country may bring into the other or export therefrom all kinds of produce and merchandise, by land or sea, and sell, exchange, buy, and transport the same throughout the territories of either country, it being understood that internal commerce is subject to the laws of the country. (Art. III.)

(b) Jurisdiction of disputes arising in Persia between Swiss subjects is vested in Swiss consular authorities exclusively; disputes between Swiss and Persians to be judged by a Persian tribunal in presence of a Swiss consular representative; disputes between Swiss

and other foreigners to be settled by their respective authorities. (Art. V.)

(c) Directions for treatment of property left in either country by deceased subjects of the other under conditions stated. (Art. VI.)

(d) Right of either country to appoint three consuls in the other, to reside at places named. (Art. VII.)

(e) Consuls of either country carrying on commerce in the other are subject to the same laws and usages as their nationals engaged in the same commerce. (Art. VII.)

(f) Diplomatic and consular agents of either country shall not protect subjects of the other. (Art. VII.)

Treaties with the United States of America.

Treaties of Persia with the United States have been previously dealt with in this volume under America, United States of, No. 42.

PERU.

Treaties with Bolivia to Japan.

Treaties of Peru with the following countries have been previously dealt with in this volume under:

Bolivia, Nos. 133 and 134.

China, No. 239.

Germany, No. 314.

Great Britain (under British Empire), No. 180.

Italy, No. 364.

Japan, No. 379.

Treaty with Spain.

No. 423.

Treaty of peace and friendship between Peru and Spain, and treaty additional thereto.

SIGNED 14 Aug., 1879, at Paris. Additional treaty signed 16 July, 1897,¹⁷⁷ at Lima. Duration indefinite. Terminable on 12 months' notice by either party. (Addl. treaty, Art. X.¹)

TEXT: Spanish, Peru Act. Int. 1916, No. 23; French, Martens 59:747-8.

I. Most-favored-nation treatment is reciprocally pledged in general terms regarding all civil rights and all matters of commerce and navigation in all respects. (Art. IV.)

II. National or most-favored-nation treatment is reciprocally pledged regarding compensation or indemnification of each other's citizens for damages, vexations, or exactions suffered during revolutions, insurrections, civil wars, seditions, riots, etc., in either country, but only in cases where fault or want of vigilance on the part of authorities of the country is admitted by its own tribunals. (Addl. tr.,¹⁷⁷ Art. IV.)

III. National treatment is reciprocally pledged in regard to:

(a) Application of laws and judicial or administrative procedure in either country to citizens of the other, with special reference to civil rights, criminal responsibilities, and penal laws of police or security. (Addl. tr.,¹⁷⁷ Art. VI.)

(b) Treatment of each other's citizens participating in civil wars, seditions, rebellions, or usurpation of political authority or jurisdiction. (Ibid., Arts. III and V.)

¹⁷⁷ Spanish, Peru Act, Int. 1916, No. 43; English (transl.), B. F. S. P. 89:598-601; Martens 82:69-71.

(c) University or professional diplomas and certificates granted to citizens of either country shall be reciprocally recognized as valid in the other if their authenticity and the identity of holders is established. (Ibid., Art. VIII.)

IV. Other provisions.

(a) National status of citizens and corporations of either country to be determined by its own legislation. (Addl. tr.,¹⁷⁷ Art. II.)

(b) Citizens of either country are not entitled to diplomatic intervention in the other, except in case of manifest denial of justice. (Ibid., Art. VI.)

(c) Both countries reserve the right to expel, or not to admit, persons considered dangerous because of their vicious life or conduct. (Ibid., Art. VII.)

(d) Controversies or differences between the two countries to be determined by arbitration in the manner described. (Ibid., Art. I.)

¹⁷⁷ Spanish, Peru Act, Int. 1916, No. 43; English (transl.), B. F. S. P. 89:598-601; Martens 82:69-71.

POLAND.

Treaties with Danzig to Germany.

Treaties of Poland with the following countries have been previously dealt with in this volume under:

Danzig, No. 259.

Germany, No. 314.

Treaty with the Principal Allied and Associated Powers.

No. 424.

Treaty between Poland and the Principal Allied and Associated Powers.

SIGNED ¹⁷⁸ 28 June, 1919, at Versailles. Effective from 10 Jan., 1920, for indefinite term, but various time limits are placed on operation of specified articles of the treaty.

TEXT: English (authentic), G. B. T. S. 1919, No. 8, Cmd. 223.

I. Most-favored-nation treatment is reciprocally pledged as between Poland and each of the contracting States regarding all facilities, privileges, exemptions, and immunities of every kind granted to consular officers. (Art. 13.)

II. National and most-favored-nation treatment.—Pending conclusion (under auspices of the League of Nations) of general conventions on the matters named, Poland assures national and most-favored-nation treatment on condition of reciprocity (Art. 17 ¹⁷⁹) to all the Allied and Associated States, and to all States members of the League of Nations (Art. 20), in respect to:

(a) Treatment of vessels of all States which accord similar treatment to Polish vessels, except the maritime coasting trade, which Poland or any of said powers or States may confine to its national vessels. (Art. 16.)

(b) Freedom of transit for persons, goods, vessels, carriages, wagons, and mails in transit to or from any of said States over Polish territory, including territorial waters, with special reference to facilities, charges, restrictions, and all other matters. (Art. 17. ¹⁷⁹)

(c) International use of specified portions of the river system of the Vistula, conformable to Articles 332 to 337 of the treaty of peace with Germany. ¹⁸⁰ (Art. 18.)

¹⁷⁸ Signed by the following Powers: America, United States of, British Empire, France, Italy, Japan, and Poland.

¹⁷⁹ This article is terminable after 10 Jan., 1925, as noted below under IV.

¹⁸⁰ See No. 314, III g.

III. Other provisions.

Poland undertakes and agrees:

(a) To make no treaty, convention, or arrangement and to take no other action which may prevent her from joining in any general convention for the equitable treatment of the commerce of other States which may be concluded under auspices of the League of Nations before 10 Jan., 1925. (Art. 15.)

(b) To extend to all the Allied and Associated States, and to States members of the League of Nations, any favors or privileges in customs matters which she may grant before 10 Jan., 1925, to any State with which since Aug., 1914, the Allies have been at war, or to any State having special customs arrangements with Austria under treaty cited. (Arts. 15 and 20.)

(c) Pending establishment of an import tariff by Poland, goods originating in the Allied and Associated States shall not be subject to higher duties on importation into Poland than the most favorable rates of duty applicable to goods of the same kind under either the German, Austro-Hungarian, or Russian customs tariffs on 1 July, 1914. (Art. 14.)

(d) That goods in transit through Polish territory, including territorial waters, shall be exempt from all customs or other duties; and that freedom of transit shall extend to postal, telegraphic and telephonic services. (Art. 17.¹⁷⁹)

(e) That all rights and privileges accorded by this treaty to the Allied and Associated Powers shall be accorded equally to all States members of the League of Nations. (Art. 20.)

(f) To adhere before 10 Jan., 1921, to specified general international conventions, and to adhere to any new convention concluded with approval of the council of the League of Nations before 10 Jan., 1925, to replace any of those specified. (Art. 19.)

(g) To protect by effective measures the industrial, literary, and artistic property of nationals of the Allied and Associated States in circumstances named, on condition of reciprocity. (Art. 19.)

(h) To assume responsibility for such proportion of the Russian public debt and other Russian liabilities as may be assigned to Poland under a special convention described. (Art. 21.)

(i) To assure full and complete protection of life and liberty to all inhabitants of Poland without distinction of birth, nationality, language, race, or religion. (Art. 2.) Differences of religion, creed, or confession shall not prejudice any Polish national in matters relating to civil or political rights, as for instance admission to public employments, functions, and honors, or the exercise of professions or industries. (Art. 7.)

¹⁷⁹ This article is terminable after 10 Jan., 1925, as noted below under IV.

(j) That the stipulations of this treaty, so far as they affect persons belonging to racial, religious, or linguistic minorities, constitute obligations of international concern, and shall be placed under the guarantee of the League of Nations, as described in detail. (Art 12.)

IV. Note.—If no general convention to secure and maintain freedom of communications and of transit is concluded under auspices of the League of Nations before 10 Jan., 1925, Poland may at any time thereafter terminate the obligations of Article 17 (noted under II, II *b*, and III *d* above), by 12 months' notice in manner stated. (Art. 17.)

PORTUGAL.

Treaties with Austria-Hungary to the Netherlands.

Treaties of Portugal with the following countries have been previously dealt with in this volume under:

Austria-Hungary, No. 83.

Belgium, No. 114.

China, No. 240.

Colombia, No. 251.

Denmark, No. 269.

France, No. 303.

Germany, Nos. 314 and 328.

Great Britain (under British Empire), No. 181.

Italy, No. 365.

Netherlands, No. 402.

Treaty with Russia.¹⁸¹

No. 425.

Convention of commerce and navigation between Portugal and Russia. and notes relating thereto.

SIGNED 9 July, 1895, at Lisbon. Effective from 28 Apr., 1896, for successive periods of five years until 28 Apr., 1906, and thereafter until terminated by 12 months' notice from either party. (Art. XI.)

TEXT: French, B. F. S. P. 87:514-23; Martens 73:114-18.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting all rights and favors which either country may accord in matters of commerce and industry to subjects of any other nation; subject to laws and special regulations applying to all foreigners in matters of commerce, industry and police. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) All matters relating to warehousing, reexportation, and navigation in general (Art. III and final protocol 1); except as noted below under IV *a*.

(b) All import and consumption duties payable in either country on products of the other listed in tariffs and Tables A and B annexed to this treaty, when imported directly (as defined) by sea or land (Arts. V and VIII-IX); except as noted below under IV *b*.

II. National treatment is reciprocally pledged with regard to:

(a) Any contributions, restrictions, or obligations, general or local, which either country may impose on subjects of the other in matters of commerce and industry. (Art. I.)

¹⁸¹ See p. 757, note 195.

(*b*) Protection of subjects of either country in the other with reference to property in trademarks, inventions, and industrial or commercial designs or models, until conclusion of a special convention on the subject. (Art. II.)

III. Other provisions.

(*a*) Products of either country listed in tariffs A and B annexed to this treaty when imported directly (as defined) into the other by sea or land, shall pay no higher duties than required by these tariffs, or by most-favored-nation principle noted under I *b* above. (Arts. IV and VIII-IX.)

(*b*) Detailed provisions concerning certificates of origin (Art. VII); definition of direct importation (Arts. VIII, IX); and ships' papers (Final protocol, 2).

(*c*) In case Russia increases the existing import duty on wines containing more than 16 per cent alcohol, Portugal's import duty on petroleum may be increased in proportion. (Final protocol, 3.)

(*d*) Exchange of notes concerning tariff duties in Finland.

IV. Exceptions.

(*a*) Provisions of Article III (noted under I *a* above) do not apply to specified treaties of Portugal with the South African Republic and the Orange Free State, nor to stipulations between Portugal and Brazil. (Art. III.)

(*b*) Article V (noted above under I *b*) does not apply to:

(1) Favors or privileges which Portugal may accord to Spain and Brazil. (Art. VI, 1.)

(2) Favors accorded to bordering countries to facilitate frontier traffic within 15 kilometers of the boundary line. (Ibid., 2.)

(3) Favors which Russia may accord to residents of the Province of Archangel concerning importation or exportation, or relating to the north and east coasts of Siberia. (Ibid., 3.)

(*c*) Provisions concerning national or most-favored-nation treatment (Arts. I-VI) do not apply to:

(1) Special stipulations in Russia's treaty of 8 May, 1838,¹⁸² with Sweden and Norway. (Art. VI.)

(2) Stipulations concerning Russian commerce with Asiatic States and countries bordering on Russia. (Ibid.)

V. Territorial application.—This treaty applies on the part of Portugal also to Madeira, Porto Santo and the Azores (Art. XI); and on the part of Russia to Finland (Notes, 12 Nov. 1906¹⁸³).

¹⁸² See No. 440.

¹⁸³ French, B. F. S. P. 101: 548.

Treaty with the Serb-Croat-Slovene State.¹⁸⁴

No. 426.

Commercial convention between Portugal and Serbia.

SIGNED 3 Sept., 1910, at Vienna. Effective from 23 Aug., 1911, until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. IX.)

TEXT: French, B. F. S. P. 105:782-7; Serbian, Serbia Srbske Novine 1911, No. 116.

I. Most-favored nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting any favor, privilege, or reduction of duties which either country may accord to any third power in matters concerning importation, exportation or transit. (Art. II.)

Most-favored-nation is further reciprocally pledged in regard to:

(a) Treatment of products of either country imported into the other, whether destined for consumption, warehousing, reexportation, or transit; with special reference to payment of duties of importation, excise, octroi, or consumption, whether levied by the State or by communes in either country. (Art. II.)

(b) Export duties payable in either country on exports to the other. (Art. II.)

(c) Exceptional prohibitions which either country may impose on importation, exportation, or transit (Art. IV) as noted below under III b.

(d) Treatment to be accorded by Serbia to specified products of any Portuguese colonies, from whatever place arriving; and to similar products of other colonies or of non-European countries, when imported from Portugal. (Art. VII and final protocol.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged respecting all rights, privileges, immunities, favors, and exemptions concerning exercise of commerce and industry in either country, and payment of imposts relating thereto; subject to special laws and regulations applying to all foreigners in matters of establishment, commerce, industry, and police. (Art. I.)

III. Other provisions.

(a) Certificates of origin may be required by either country for purposes named. (Art. III.)

(b) Neither country to obstruct its commerce with the other by prohibitions against importation, exportation, or transit, except in the following cases applying to all countries under the same conditions:

(1) Provisions of war in exceptional circumstances.

(2) Consideration of internal security of the State.

¹⁸⁴ See p. 771, note 197.

(3) Sanitary measures, or measures to prevent propagation of diseases or destruction of plants, especially by noxious insects or parasites.

(4) Application to imported merchandise of prohibitions or restrictions imposed by internal laws on production, sale, or transportation of similar articles of native production.

(5) Articles monopolized by the State, or by communes. (Art. IV.)

(c) Detailed stipulations concerning reciprocal recognition of regional designations of wines produced in either country, and protection of these designations against false imitations by prohibiting importation and sale of such wines, unless accompanied by official certificates to establish their origin and purity. (Art. VI.)

(d) Detailed statement of duties payable on importation of specified Portuguese wines into Serbia. (Art. VI and final protocol.)

(e) Arbitration of differences concerning interpretation or application of this convention, and detailed statement of procedure relating thereto. (Art. VIII.)

IV. Exceptions.—The reciprocal most-favored-nation treatment accorded by this convention does not apply to:

(a) Favors which Portugal may accord exclusively to Spain and Brazil.

(b) Special favors resulting from a customs union.

(c) Special arrangements with bordering States to facilitate frontier traffic. (Art. V.)

V. Application to Portuguese colonies.—This convention applies on the part of Portugal also to its adjacent islands: Madeira, Porto Santo, and the Azores. But specified products of other Portuguese colonies are assured most-favored-nation treatment in Serbia, as noted above under I *d*. (Art. VII and final protocol.)

Treaty with Siam.

No. 427.

Treaty of friendship, commerce, and navigation between Portugal and Siam.

SIGNED 10 Feb., 1859, at Bangkok. Duration indefinite; subject to revision after 28 Aug., 1871, on 12 months' notice from either party. (Art. XXXVIII.)

TEXT: English (transl.), B. F. S. P. 72: 109-21.

I. Most-favored-nation treatment is pledged with regard to:

(a) Right of subjects of either country to all privileges which may be conceded in the other to subjects of any foreign nation. (Art. I.)

(b) All privileges and exemptions accorded to consular officers. (Art. IV.)

(c) All privileges concerning religious worship in either country. (Art. VIII.)

(d) Most-favored-nation treatment is further pledged to the Portuguese Government and subjects with regard to all privileges not mentioned in this treaty, but which Siam may accord to the government and subjects of any other nation. (Art. XXXVI.)

II. National or most-favored-nation treatment (optional) is pledged to Portuguese vessels in Siamese ports respecting all privileges and immunities which may be granted to Siamese or any other vessels. (Art. XXIV.)

III. National treatment is pledged with regard to:

(a) Taxation of freehold property in Siam owned by Portuguese subjects conformably to conditions stated. (Art. XIII.)

(b) Application to each other's vessels of any reduction of duties which either country may make in favor of merchandise imported or exported in its own ships. (Art. XXXI.)

IV. Other provisions.

(a) Protection of persons and property of subjects of either country in the other. (Art. I.)

(b) Right of Portuguese subjects in Siam to free exercise of their religion and right to build churches. (Art. VIII.)

(c) Portuguese subjects wishing to reside in Siam must be registered at the Portuguese consulate in the manner described. (Art. IX.)

(d) Right of Portuguese subjects to reside in Siam within boundaries named (and beyond these limits by special permission); also to trade freely and securely in all parts of Siam without interference from any monopoly or exclusive privilege of purchase or sale. (Art. XI.)

(e) Right of Portuguese subjects to buy, sell, rent, or build houses, establish depots and stores, and to buy, sell, or lease lands and plantations, subject to restrictions named, Siam reserving the right to cancel the sale or to resume such lands if not cultivated within three years from date of possession. (Arts. XII, XIII.)

(f) Exemption of Portuguese vessels in Siamese ports from all taxes for tonnage, pilotage, anchorage, and any other charges whatever, after payment of import and export duties fixed by this treaty. (Art. XXIV.)

(g) Duties payable in Siam on merchandise imported in Portuguese vessels not to exceed 3 per cent ad valorem (Art. XXV), which shall never be increased (Art. XXVII). After payment of these duties, Portuguese subjects may freely import into or export from Siam to or from any foreign port all kinds of merchandise, except specified articles subject to restrictions named. (Arts. XXVIII, XXIX.)

(h) Siamese products exported in Portuguese vessels to pay only the duties specified in the tariff annexed to this treaty (Art. XXVI), which shall never be increased (Art. XXVII).

(i) Exemption of specie, provisions, and objects of personal use from import or export duties. (Art. XXX.)

(j) Right of Portuguese subjects to own and operate mines in any part of Siam and to engage in lawful manufacturing of any kind. (Art. XXXIV.)

(k) Detailed and extensive provisions relating to appointment, functions, and privileges of consuls (Arts. II-VI, X, XIX, and XXXV); punishment of subjects of either country offending or injuring subjects of the other (Art. VII); disposal of property left by subjects of either country dying in the other (Art. XIV); employment of Siamese subjects (Art. XVI); arrest of criminals and seamen deserters (Art. XVII); freedom of Portuguese subjects to leave Siam (Art. XVIII); recovery of debts (Art. XX); bankruptcy (Art. XXI); Portuguese warships (Art. XXII, XXXII); assistance to ships in distress (Art. XXIII); piracy and robbery on shore (Art. XXXIII).

(l) Detailed regulations to be observed by Portuguese ships in Siamese waters. (Annexed.)

(m) Tariff schedules of inland and export duties. (Annexed.)

Treaty with Spain.

No. 428.

Treaty of commerce and navigation between Portugal and Spain.

SIGNED 27 Mar., 1893, at Madrid. Effective from 1 Oct., 1893, for 10 years, and thereafter for successive periods of 5 years. Terminable at the close of each period by notice from either party given 12 months before.^a (Art. XXVII.)

TEXT: Spanish and Portuguese, Spain Tr. 10: 403-582; Portugal Tr. 9: 77-164; English (transl.), B. F. S. P. 85: 416-63.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) respecting any advantages which either party may grant to any other country in regard to warehousing, reexportation, transit, transshipment and navigation in general. (Art. VII and final protocol, I.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Any prohibition which either country may establish against the other regarding importation or exportation of merchandise. But this principle does not apply to:

(1) Importation, exportation, or transit of articles of State monopoly.

(2) Prohibitions or temporary restrictions imposed on sanitary grounds to prevent spread of cattle plagues or destruction of harvests.

^a Terminated 30 Sept., 1913.

(3) Measures relating to war. (Art. II.)

(b) Duties imposed by either country on products of the other listed in Schedules E and F annexed to this treaty. (Arts. XIII, XIV.)

II. National treatment is reciprocally pledged with regard to:

(a) All privileges, immunities, and favors in matters of commerce and industry, and all taxes, imposts, or contributions of any kind relating thereto. (Art. I.)

(b) Octroi or consumption dues payable in either country on imported products of the other, whether levied by the State, or by provinces or municipalities, which must not be higher than on similar merchandise of native production. (Art. III.)

(c) Advantages accorded by law to natives of either country in matters concerning ownership of trade-marks and of industrial or commercial models or drawings. (Art. VI.)

(d) Any dues payable by ships of either country in ports of the other. (Art. XX.)

III. Other provisions.

(a) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise, and must be provided with a certificate of identity in the form prescribed. (Art. IV and Form A.)

(b) Products listed in Schedule A annexed to this treaty are exempt from import, export, and transit dues in either country when conveyed by common roads or railways on the frontier or upon rivers serving as boundaries between two countries. (Arts. VIII, XXII, and Schedule A.)

(c) Products of either country listed in Schedule B may circulate freely through the frontiers by land or rivers, subject to formalities stated. (Art. IX and Schedule B.)

(d) Specified import duties to be levied in either country on products of the other listed in Schedules C and D, if imported directly by sea. No reduction of these duties can be granted to any third power by either country without the other's consent. (Art. X, XI.)

(e) Temporary duty-free admission by either country of commercial travelers' samples from the other, subject to customs formalities relating thereto. (Art. XVI.)

(f) Certificates of origin may be required by either country, under conditions stated. (Art. XV and Form B.)

(g) Portuguese products from Portuguese ports shall not be subject to any surtax in Spain, and products from Spanish ports are exempt from similar surtaxes in Portugal. (Art. XXIV.)

(h) Extensive and detailed regulations concerning trade by sea, over frontier roads, or by rivers serving as boundaries between the

two countries, and concerning fiscal supervision, suppression of fraud and smuggling, transit trade, and police service of the coast and fisheries. (Art. XVII and Appendices 1-6.)

IV. Exceptions.—The provisions of this treaty do not apply to:

(a) The coasting trade of either country, which is reserved for regulation by their respective laws. (Art. XXI.)

(b) Special advantages which Portugal may grant to Brazil. (Art. XXIII.)

(c) Advantages accorded to the South African Republic and the Orange Free State by treaties with Portugal. (Final protocol.)

V. Territorial application.—The provisions of this treaty are also applicable, on the part of Spain, to the Balearic and Canary Islands; and on the part of Portugal, to the archipelagoes of Madeira and the Azores. (Art. XXVI.)

Treaty with Sweden.

No. 429.

Declaration between Portugal and Sweden relating to commerce and navigation.

SIGNED 16 Apr., 1904, at Lisbon. Ratifications exchanged there 12 Jan., 1907. Effective from 12 Jan., 1907, until terminated by 12 months' notice from either party. But in case the existing limit of alcoholic strength of wines imported into Sweden is lowered to the detriment of Portuguese wines this agreement shall immediately cease to be binding.

TEXT: French, B. F. S. P. 101: 552-3; French and Portuguese, Portugal Tr. 12: 3-4.

I. Most-favored-nation treatment is reciprocally pledged in general terms in all that concerns commerce and navigation, with special reference to import duties imposed by either country on direct importation of products of the other, including transshipped merchandise consigned on through bills of lading, and products of Portuguese colonies reexported from Portugal to Sweden, except:

(a) Special favors which Portugal may accord to Spain or Brazil.

(b) Favors which Sweden may accord to Norway and Denmark exclusively.

II. National or most-favored-nation treatment (optional) is reciprocally pledged regarding payment of excise, octroi, or consumption duties in either country, which must not bear more heavily on imported products of the other country than on similar articles of national or other foreign production.

III. Territorial application.—This arrangement applies on the part of Portugal also to Madeira, Porto Santo, and the Azores.

Treaty with Switzerland.

No. 430.

Commercial convention between Portugal and Switzerland, and declaration relating thereto.

SIGNED 20 Dec., 1905, at Berne. Effective from 28 Jan., 1907, for five years, and thereafter until terminated by 12 months' notice from either party. (Art. VII.)

TEXT: French, B. F. S. P. 101:555-6; French and Portuguese, Portugal Tr. 12:166-7.

I. Most-favored-nation treatment is reciprocally pledged in general terms in all matters concerning importation, exportation, and transit (Art. I), except special concessions which Portugal may accord to Spain and Brazil exclusively (Art. IV).

Most-favored-nation treatment is further stipulated as follows:

(a) Portugal accords to Swiss cheese all advantages extended to cheese from Holland or any other country. (Art. II.)

(b) Portuguese wines to be admitted into Switzerland on the same conditions as Italian wines named, or wines from any other country. (Art. III.)

Products of Portuguese colonies reexported from Portugal receive most-favored-nation treatment in Switzerland, so long as Swiss products receive in the overseas Portuguese Provinces treatment as favorable as those from any third country. (Art. VI and decl. of 28 Jan., 1907.¹⁸⁵)

II. Portuguese colonies.—This convention applies to the (adjacent) islands of Madeira, Porto Santo, and the Azores. (Art. V.)

Treaty with Zanzibar.

Treaties of Portugal with Zanzibar have been previously dealt with in this volume under British Empire, No. 209.

¹⁸⁵ French, B. F. S. P. 101:556.

RUMANIA.

Treaties with Austria to Norway.

Treaties of Rumania with the following countries have been previously dealt with in this volume under:

Austria, No. 63.	Great Britain (under British Empire), No. 182.
Austria-Hungary, No. 84.	Greece, No. 344.
Belgium, No. 115.	Italy, No. 366.
Bulgaria, Nos. 210 and 216.	Montenegro, No. 394.
Denmark, No. 270.	Netherlands, No. 403.
France, No. 304.	Norway, No. 412.
Germany, Nos. 314 and 329.	

Treaty with the Principal Allied and Associated Powers.

No. 431.

Treaty between Rumania and the Principal Allied and Associated Powers.

SIGNED ¹⁸⁶ 9 Dec., 1919, at Paris. Effective from 16 July, 1920, for indefinite term, but various time limits are placed on operation of specified articles of the treaty.

TEXT: English, U. S., 67th Cong., 1st sess., S. Doc. No. 7: 40-6; G. B. T. S. 1920, No. 6, Cmd. 558.

I. National and most-favored-nation treatment.—Pending conclusion (under auspices of the League of Nations) of general conventions on the matters named, Rumania assures national and most-favored-nation treatment, on condition of reciprocity (Art. 15 ¹⁸⁷), to all the Allied and Associated Powers, and to all States members of the League of Nations (Art. 17), in respect to:

(a) Treatment of vessels of all Allied and Associated Powers and States which accord similar treatment to Rumanian vessels; except the maritime coasting trade, which Rumania or any of said powers or States may confine to its national vessels. (Art. 14.)

(b) Freedom of transit for persons, goods, vessels, carriages, wagons and mails in transit to or from any of said States over

¹⁸⁶ Signed by the following powers: America, United States of, British Empire, France, Italy, Japan, and Rumania.

¹⁸⁷ This article is terminable after 16 July, 1925, as noted below under III.

Rumanian territory, including territorial waters; with special reference to facilities, charges, restrictions, and all other matters. (Art. 15.¹⁸⁷)

(c) International use of specified portions of the river system of the Pruth, conformable to Articles 332 to 338 of the treaty of peace with Germany.¹⁸⁸ (Art. 16.)

II. Other provisions.

Rumania undertakes and agrees:

(a) To make no treaty, convention, or arrangement and to take no other action which may prevent her from joining in any general convention for the equitable treatment of the commerce of other States which may be concluded under auspices of the League of Nations before 16 July, 1925. (Art. 13.)

(b) To extend to all the Allied and Associated Powers, and to States members of the League of Nations, any favors or privileges in customs matters which she may grant before 16 July, 1925, to any State with which since August, 1914, said powers have been at war, or to any State having special customs arrangements with such States under Article 222 of the treaty of peace with Austria.¹⁸⁹ (Arts. 13 and 17.)

(c) That goods in transit through Rumanian territory, including territorial waters, shall be exempt from all customs or other duties; and that freedom of transit shall extend to postal, telegraphic, and telephonic services. (Art. 15.¹⁸⁷)

(d) To assure full and complete protection of life and liberty to all inhabitants of Rumania without distinction of birth, nationality, language, race, or religion. (Art. 2.) Differences of religion, creed, or confession shall not prejudice any Rumanian national in matters relating to civil or political rights, as, for instance, admission to public employments, functions, and honors, the exercise of professions or industries. (Art. 8.)

(e) That the stipulations of this treaty, so far as they affect persons belonging to racial, religious, or linguistic minorities, constitute obligations of international concern, and shall be placed under the guarantee of the League of Nations, as described in detail. (Art. 16.)

(f) That all rights and privileges accorded by this treaty to the Allied and Associated Powers shall be accorded equally to all States members of the League of Nations. (Art. 17.)

III. Note.—If no general convention to secure and maintain freedom of communications and of transit is concluded under auspices of the League of Nations before 16 July, 1925, Rumania may at

¹⁸⁷ This article is terminable after 16 July, 1925, as noted below under III.

¹⁸⁸ See No. 314, III *g*.

¹⁸⁹ See No. 63, 11 *a*.

any time thereafter terminate the provisions of Article 15 (noted under I. I *b*, and II *c* above) by 12 months' notice in manner stated. (Art. 15.)

Treaty with Russia.¹⁹⁰

No. 432.

Convention of commerce and navigation between Rumania and Russia.

SIGNED 9 Mar., 1906, at Bucharest. Effective from 30 Mar., 1906 until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. XVII.)

TEXT: French, B. F. S. P. 101: 562-9.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged, in general terms to subjects of either country in the other with regard to all rights, privileges, immunities, favors, and exemptions which either party may accord to subjects of any other country, in any respect; subject to special laws and regulations applying to all foreigners in matters of commerce, industry, police, and acquisition of landed property in rural communes of either country (Art. I), and subject to exceptions noted below.

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Acquisition, possession, and disposal of, or succession to, all kinds of movable or immovable property which the laws of the country permit foreigners to acquire or possess, by will or otherwise. (Art. II.)

(b) Exceptional prohibitions which either country may impose on importation, exportation, or transit (Art. IV), as noted below under IV *c*.

(c) Treatment of products of either country imported into the other whether destined for consumption, warehousing, reexportation, or transit; with special reference to duties, taxes, surtaxes, imposts, contributions, or prohibitions imposed in either country, and any favors, facilities, immunities, or reductions in import duties accorded by either country to any third power. (Art. V.)

(d) Any duties imposed by either country on objects exported to the other, and any other favors relating to exportation. (Art. VIII.)

(e) Treatment in either country of merchants, manufacturers, and their commercial travelers from the other with reference to passports and payment of trade dues. (Art. X.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Quartering of troops and other exceptional military requisitions which either country may impose on citizens of the other. (Art. III.)

¹⁹⁰ See p. 757, note 195.

(b) Treatment by either country of vessels of the other and their cargoes, from whatever place arriving and whatever their destination, and whatever the place of origin or destination of the cargoes, with special reference to privileges or exemptions accorded to any third Power, except:

(1) Particular advantages which either country may accord to its national fisheries and products thereof. (Art. XI, *a.*)

(2) Favors which either country may grant to its national merchant navy. (Ibid., *b.*)

(c) Dues payable by vessels of either country in ports of the other for light, pilotage, towage, quarantine, and similar dues affecting the hull of the ship, levied for services rendered or equipment used. (Art. XIV.)

III. National treatment is reciprocally pledged with regard to:

(a) All rights and imposts relating to exercise of commerce and industry in either country. (Art. I.)

(b) All dues, taxes, or charges under whatever name relating to acquisition, possession, and disposal of or succession to property, by will or otherwise, including exportation of property or of proceeds if sold. (Art. II.)

(c) All rights and immunities regarding access to courts of justice, and employment of advocates or other agents therein. (Art. II.)

(d) Internal duties on production or consumption, whether levied for the State or for communes or corporations in either country. These must not under any pretext bear more heavily on imported products of the other country than on similar articles of native production. (Art. VI.)

(e) Treatment of citizens of either country proceeding to fairs or markets in the other to follow their calling and sell their products, with special reference to payment of taxes. (Art. X.)

(f) Any dues payable by vessels of either country in ports of the other for guarding of cargo not discharged at that port. (Art. XIII.)

(g) Treatment of vessels of either country wrecked on coasts of the other, with special reference to any favors or immunities accorded by law in either country to its shipwrecked vessels. Salvaged merchandise to be exempt from all customs duties, unless landed for consumption in the country. (Art. XV.)

(h) Right of subjects of either country to use specified equipments and services in the other established for public use, such as highways, waterways, canals, locks, ferries, bridges, ports, landings, pilotage, cranes, weighbridges, warehouses, salvaging facilities, and other establishments intended for public service and commercial use, whether administered by the State or privately under State author-

ity. No dues to be collected unless the equipment or service was actually used, except for pilotage and maritime lighthouse service. (Art. XVI.)

IV. Other provisions.

(a) The period of three years allowed to foreigners by the Russian ukase of 14 Mar., 1887, for liquidation of landed property is extended for Rumanians to ten years. (Art. II.)

(b) Citizens of either country are exempt in the other from obligation to accept judicial, administrative, or municipal functions (except guardianship), from all personal military service by land or sea, and from all military imposts, contributions, forced loans, or requisitions of any kind, except those incumbent on possession of landed property, and except as noted above under II *a*. (Art. III.)

(c) Neither country to obstruct its commerce with the other by any prohibitions against importation, exportation, or transit over commercial routes open to transit, except for the following reasons applying to all countries under the same conditions:

(1) Provisions of war in exceptional circumstances. (Art. IV, 1.)

(2) Considerations of public safety. (Ibid., 2.)

(3) Sanitary measures, and to protect animals and useful plants from disease, insects, and noxious parasites. (Ibid., 3.)

(4) Application to foreign merchandise of prohibitions or restrictions imposed by internal laws on production, sale, or distribution of similar articles of national production. (Ibid., 4.)

(5) Objects of Government monopoly in either country. (Ibid., 5.)

(d) Exemption of merchandise of any kind from all transit duties in either country when passing by a commercial route open to transit, whether going straight through, or unloaded, stored, and reloaded. (Art. VIII.)

(e) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise, and must be provided with a license card in the form prescribed. (Art. X.)

(f) Reciprocal exemption of commercial travelers' samples from import and export duties, subject to customs regulations relating thereto. (Art. X.)

(g) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage, but coasting trade is expressly excepted. (Art. XI.)

(h) Nationality of vessels to be recognized according to ship's papers issued by competent authorities under laws of each country. (Art. XII.)

(i) Vessels of either country are exempt in ports of the other from tonnage and clearance duties, under conditions stated (Art. XIV); except as noted under II *c* above.

V. Exceptions.

(a) The provisions of this convention do not apply to:

(1) Favors which either country may accord to bordering States to facilitate traffic in a frontier zone up to 15 kilometers wide. (Art. IX, 1.)

(2) Favors respecting importation and exportation which Russia may accord to inhabitants of the Province of Archangel, or on the north and east coasts of Siberia. (Ibid., 2.)

(3) The coasting trade, which is reserved for regulation by the laws of each country. (Art. XI.)

(b) The provisions of Articles V, VII, and VIII (noted above under *I c* and *d*, and IV *d*) do not apply to special stipulations of the treaty of 8 May, 1838,¹⁹¹ between Russia and Sweden and Norway, nor to stipulations respecting Russian commerce with Asiatic States and countries bordering on Russia. (Art. IX.)

Treaty with the Serb-Croat-Slovene State.¹⁹²**No. 432.***Convention of commerce and navigation between Rumania and Serbia.*

SIGNED 5 Jan., 1907, at Bucharest. Effective from 16 Apr., 1907, for four years, and thereafter until terminated by 12 months' notice from either party. (Art. XVII.) Both parties reserve the right to introduce modifications at any time by common consent, consistent with the spirit and general principles of the treaty. (Art. XVI.)

TEXT: French, B. F. S. P. 101: 573-8; Martens 85: 570-5.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any favor, privilege, or immunity which either country may accord to any third power, with special reference to tariff reductions on importation or exportation of products of either country, and matters concerning import and export duties (amount, guaranty, and collection), transit, reexportation, warehousing, local dues, and customs formalities. (Art. V.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Acquisition, possession, or alienation of real or personal property of any kind in either country. (Art. II.)

(b) Exceptional prohibitions which either country may impose on importation, exportation, or transit (Art. IV), as noted below under IV *b*.

¹⁹¹ See No. 440.

¹⁹² See p. 771, note 197.

(c) Treatment of products of either country imported into the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of duties. (Art. VI.)

(d) Any duties which either country may impose on exports to the other, and any other favors relating to exportation. (Art. VIII.)

(e) Any advantages which either country may accord in respect to its coasting trade. (Art. XI, 2.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) All rights, immunities, favors, and exemptions concerning exercise of commerce and industry in either country, and all imposts relating thereto, subject to special laws and regulations applying to all foreigners in matters of commerce, industry, and police (Art. I), and subject to exceptions noted below.

(b) Internal duties levied in either country on production or consumption, whether imposed by the State or by communes or corporations. Such duties must not bear more heavily on imported products of the other country than on similar articles of domestic or other foreign production. (Art. X.)

(c) Treatment by either country of vessels of the other and their cargoes, from whatever place arriving and whatever their destination, except:

(1) Advantages which either country may accord to its national fisheries. (Ibid., 1.)

(2) The coasting trade of either country in respect of which most-favored-nation treatment is reciprocally pledged. (Ibid., 2.)

III. National treatment is reciprocally pledged with regard to:

(a) Payment of taxes, imposts, or charges of whatever kind relating to acquisition, possession, and disposal of, or succession to, property in either country, including duties on export of proceeds of property sold. (Art. II.)

(b) Military contributions or requisitions imposed by either country in peace or war, and right to indemnities established by the laws of the country in favor of nationals. (Art. III.)

(c) Treatment of vessels of either country in ports of the other, from whatever place arriving and whatever their destination, with special reference to payment of dues for tonnage, port, pilotage, lighthouse, quarantine, and similar dues of whatever kind, whether levied for the Government, or for officials, corporations, or establishments of any kind. (Art. XIII.)

(d) Any dues payable by vessels of either country seeking refuge in ports of the other from damage or shipwreck. (Art. XIV.)

(e) All favors and immunities granted by laws of either country to stranded or shipwrecked vessels and their cargoes; with special reference to payment of salvage expenses. (Art. XV.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from all military service by land or sea. (Art. III.)

(b) Neither country to obstruct its commerce with the other by prohibitions against importation, exportation, or transit; except for the following reasons, applying to all other countries under the same conditions:

(1) Provisions of war in exceptional circumstances. (Art. IV, 1.)

(2) Considerations of public security. (Ibid., 2.)

(3) Sanitary measures, or to protect animals and useful plants from diseases, noxious insects, and parasites. (Ibid., 3.)

(4) Application to imported merchandise of internal laws prohibiting or restricting domestic production, sale, or transportation of similar articles of national production. (Ibid., 4.)

(c) Exemption of merchandise of any kind from all transit duties in either country when passing by a commercial route open to transit, whether going straight through, or unloaded, stored, and reloaded. (Art. VII.)

(d) Certificates of origin may be required by either country for reasons stated. (Art. IX.)

(e) Products of either country are exempt in the other from all internal duties when imported for warehousing or transit. (Art. X.)

(f) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage. But coasting trade is excepted. (Art. XI.)

(g) Nationality of vessels to be recognized in accordance with ships' papers issued by the competent authorities under laws of each country. (Art. XII.)

(h) Merchandise salvaged in either country from ships of the other is exempt from all customs duties, unless released for domestic consumption. (Art. XV.)

V. Exceptions.—The most-favored-nation provisions noted above under I do not apply to:

(a) Favors which either country may accord to other bordering States to facilitate frontier traffic within fifteen kilometers of the boundary line. (Art. V, 1.)

(b) Obligations which may be imposed upon either country by engagements of a customs union. (Ibid., 2.)

Treaty with Spain.

No. 434.

Treaty of commerce between Rumania and Spain.

SIGNED 1 Dec., 1908, at Vienna. Ratifications exchanged there 19 Feb., 1909. Duration indefinite, subject to termination by either party on 12 months' notice. (Art. VII.)

TEXT: English (transl.). B. F. S. P. 101:1049-51; French, Martens 89: 879-81.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) with regard to all rights, immunities, privileges, and exemptions concerning exercise of commerce and industry in either country, and payment of imposts relating thereto, subject to special laws and regulations applying to all foreigners in matters of establishment, commerce, industry, and police. (Art. I.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment by either country of imported products of the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of duties. (Art. II.)

(b) Export duties imposed by either country on merchandise exported to the other. (Ibid.)

(c) Any advantages or reduction of duties which either country may accord to another State with regard to matters mentioned above under I a and b. (Ibid.)

(d) Exceptional prohibitions which either country may impose on importation, exportation, or transit (Art. IV), as noted below under III b.

(e) Treatment to be accorded in either country to ships of the other and their cargoes. (Art. VI.)

(f) Any advantages or privileges which either country may grant in respect to its coasting trade, or of fishing rights in its territorial waters. (Notes of 14 and 18 Feb., 1909.¹⁹³)

II. National treatment is reciprocally pledged respecting all rights and taxes regarding exercise of commerce and industry. (Art. I.)

III. Other provisions.

(a) Certificates of origin may be required by either country for reasons stated. (Art. III.)

(b) Neither country to obstruct its commerce with the other by any prohibitions against importation, exportation, or transit, except in the following cases applying to all countries under the same conditions:

¹⁹³ English (transl.), B. F. S. P. 101:1051-2; Spanish, Martens 89: 882.

- (1) Munitions of war in exceptional circumstances. (Art. IV, 1.)
- (2) Reasons concerning the internal safety of the State. (Ibid., 2.)
- (3) Sanitary measures, or to prevent spread of epizootic diseases and destruction of plants by insects or noxious parasites. (Ibid., 3.)
- (4) Application to foreign merchandise of prohibitions or restrictions imposed by internal laws on production, sale, or transportation of similar articles of domestic production. (Ibid., 4.)
- (5) Articles of State monopoly. (Ibid., 5.)
- (c) Nationality of vessels to be recognized in accordance with ships' papers issued by competent authorities under laws of each country. (Art. VI.)

IV. Exceptions.—The provisions of this convention do not apply to:

- (a) Exceptional treatment which Spain may concede to Portugal or Morocco. (Art. V.)
- (b) The special régime obtaining in the frontier zones which either country may concede to a third power. (Ibid.)

Treaty with Sweden.

No. 435.

Convention of commerce and navigation between Rumania and Sweden.

SIGNED 3 Mar., 1910, at Berlin. Ratifications exchanged there 22 Apr., 1910. Effective from 7 May, 1910, subject to termination at any time on 12 months' notice from either party. (Art. VII.)

TEXT: French, B. F. S. P. 103: 997-9; Martens 91: 902-4.

I. Most-favored-nation treatment is reciprocally pledged in general terms (subject to exceptions noted below) regarding any advantages or tariff reductions which either country may accord in matters relating to importation or exportation. (Art. II.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

- (a) Treatment by either country of imported products of the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of duties. (Art. II.)
- (b) Export duties imposed by either country on merchandise exported to the other. (Art. II.)
- (c) Treatment to be accorded in either country to ships of the other and their cargoes. (Art. V.)
- (d) Exceptional prohibitions which either country may impose on importation, exportation, or transit (Art. IV), as noted below under III b.

II. National or most-favored-nation treatment (optional) is reciprocally pledged in general terms with regard to all rights, im-

munities, favors, and exemptions concerning exercise of commerce and industry in either country and all imposts relating thereto, subject to special laws and regulations applying to all foreigners in matters of establishment, commerce, industry, and police. (Art. I.)

III. Other provisions.

(a) Certificates of origin may be required by either country for reasons stated. (Art. III.)

(b) Neither country to obstruct its commerce with the other by any prohibitions against importation, exportation, or transit, except in the following cases applying to all countries under the same conditions:

- (1) Provisions of war in exceptional circumstances. (Art. IV, 1.)
- (2) Reasons concerning the internal safety of the State. (Ibid., 2.)
- (3) Sanitary measures, or to prevent spread of epizootic diseases and destruction of plants by insects or noxious parasites. (Ibid., 3.)
- (4) Application to foreign merchandise of prohibitions or restrictions imposed by internal laws on production, sale, or transportation of similar articles of domestic production. (Ibid., 4.)
- (5) Articles of State monopoly. (Ibid., 5.)

(c) Nationality of vessels to be recognized in accordance with ships' papers issued by competent authorities under laws of each country. (Art. V.)

IV. Exceptions.—The stipulations of this convention do not apply to:

(a) Advantages which either country may accord exclusively to bordering States to facilitate frontier traffic. (Art. VI.)

(b) Special concessions which Sweden may accord exclusively to the subjects, merchandise, and commercial, industrial, or financial companies of Norway. (Final protocol.)

Treaty with Switzerland.

No. 436.

Convention of commerce between Rumania and Switzerland.

SIGNED 3 Mar., 1893, at Bucharest. Effective until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Addl. conv. of 29 Dec., 1904.¹⁰⁴)

TEXT: French, B. F. S. P. 87:100-2; French and German, Martens 71:62-8.

I. Most-favored-nation treatment is reciprocally pledged in general terms to subjects and products of either country (subject to exceptions noted below) respecting all privileges, immunities, and advantages which either party may accord to any other nation, subject to special laws and regulations applying to all foreigners in matters of commerce, industry, police, and public security. (Art. I.)

¹⁰⁴ French, B. F. S. P. 101:578.

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Treatment by either country of imported products of the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of duties. (Art. II.)

(b) Export duties imposed by either country on merchandise exported to the other. (Art. II.)

(c) Any favor, privilege, or reduction of duties which either country may accord to a third power with regard to matters mentioned above under I a and b. (Art. II.)

(d) All matters concerning transit through either country. (Art. II.)

(e) Formalities to be observed by commercial travelers of either country in the other. (Art. III.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged to manufacturers and merchants of either country regarding protection of trade-marks and similar designations of merchandise. (Art. V.)

III. Other provisions.

(a) Merchandise of any kind passing to or from either country is exempt in the other from all transit duties. (Art. II.)

(b) Detailed provisions concerning right of merchants, manufacturers, and commercial travelers of either country to make purchases and book orders in the other, with or without samples (except as noted below under IV b), on condition of being furnished with a license in the form prescribed. (Art. III.)

(c) Temporary duty-free admission into either country of commercial travelers' samples from the other, subject to customs formalities relating thereto. (Art. IV.)

(d) Citizens of either country are exempt in the other from all military service or imposts, and from all extraordinary requisitions imposed in exceptional circumstances, except charges, contributions, or requisitions incumbent on possession of landed property. (Art. VI.)

(e) Arbitration of disputes regarding interpretation or application of this convention. (Art. VII.)

IV. Exceptions.

(a) The provisions of this convention do not apply to State monopolies and measures for their exploitation. (Art. I.)

(b) Provisions concerning commercial travelers, etc. (noted above under III b), do not apply to peddlers and other itinerant industries, nor to soliciting orders from persons not engaged in commerce or industry. (Art. III.)

RUSSIA.¹⁹⁵

Treaties with Austria-Hungary to Rumania.

Treaties of Russia with the following countries have been previously dealt with in this volume under :

Austria-Hungary, No. 85.	Greece, No. 345.
Belgium, No. 116.	Japan, No. 380.
Bulgaria, No. 217.	Mexico, No. 391.
Denmark, No. 271.	Montenegro, No. 395.
Egypt (under British Empire), No. 208.	Netherlands, No. 404.
Finland, No. 286.	Persia, No. 419.
Germany, Nos. 330 and 331.	Portugal, No. 425.
Great Britain (under British Empire), Nos. 183 and 184.	Rumania, No. 432.

Treaty with the Serb-Croat-Slovene State.¹⁹⁶

No. 437.

Treaty of commerce and navigation between Russia and Serbia.

SIGNED 28 Feb., 1907, at Belgrade. Effective from 6 June, 1907, until 31 Dec., 1917, and thereafter until terminated by 12 months' notice from either party. (Art. XX.)

TEXT: French (transl.), B. F. S. P. 100:1126-33; German, Martens 88:991-7.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms to subjects of either country in the other respecting all rights, immunities, favors, and exemptions accorded to subjects of any other nation; subject to special laws and regulations applying to all foreigners relative to commerce and industry in either country (Art. I), and subject to exceptions noted below.

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Acquisition, possession, and disposal of, or succession to, all kinds of movable or immovable property which the laws of the country permit foreigners to acquire or possess, by will or otherwise. (Art. II.)

¹⁹⁵ Treaties of the former Russian Empire have been included in this volume to show the character and extent of the Empire's commercial treaty relations before the World War.

¹⁹⁶ See p. 771, note 197.

(b) Quartering of troops and other exceptional military requisitions which either country may impose on citizens of the other. (Art. III.)

(c) Rights which stock companies and other commercial, industrial, or financial associations of either country are permitted to exercise in the other; with special reference to actions in courts of justice. (Art. IV.)

(d) Treatment of products of either country imported into the other, whether destined for consumption, warehousing, reexportation, or transit; with special reference to duties, taxes, octroi, customs surtaxes, import prohibitions, and direct or indirect imposts. (Art. VI.)

(e) Any favor, privilege, and reduction of customs duties which either country may accord to any third power. (Art. VI.)

(f) Any duties imposed by either country on objects exported to the other and any other favors relating to exportation. (Art. VIII.)

(g) Treatment in either country of merchants, manufacturers, and their commercial travelers from the other with reference to passports and payment of trade dues. (Art. XI.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Internal duties levied in either country on production or consumption, whether imposed by the State or by communes or corporations. Such duties must not bear more heavily on imported products of the other country than on similar articles of domestic or other foreign production. (Art. VII.)

(b) Treatment by either country of vessels of the other and their cargoes, from whatever place arriving and whatever their destination, and whatever the place of origin or destination of the cargoes; except:

(1) Special immunities accorded to national fisheries and products thereof. (Art. XII, a.)

(2) Favors which may be accorded to national merchant vessels. (Ibid., b.)

(3) The coasting trade of both countries (Art. XII), as noted below under V a 4.

(c) Dues payable by vessels of either country in ports of the other for light, pilotage, towage, quarantine, and similar dues levied for services rendered or equipment used. (Art. XV.)

(d) Application of freight rates to merchandise of either country transported over railways of the other; except reduced rates allowed in the public interest, or for charitable objects. (Art. XVIII.)

III. National treatment is reciprocally pledged with regard to:

(a) All rights and imposts relating to exercise of commerce and industry in either country. (Art. I.)

(b) All dues, taxes, or charges under whatever name relating to acquisition, possession, and disposal of or succession to property, by will or otherwise, including exportation of property or of proceeds if sold. (Art. II.)

(c) All rights and immunities regarding access to courts of justice, and employment of advocates or other agents therein. (Art. II.)

(d) Treatment of citizens of either country proceeding to fairs or markets in the other to follow their calling and sell their products; with special reference to payment of taxes. (Art. XI.)

(e) Any dues payable by vessels of either country in ports of the other for guarding of cargo not discharged at that port. (Art. XIV.)

(f) Treatment of vessels of either country wrecked on coasts of the other, with special reference to any favors or privileges accorded by law in either country to its shipwrecked vessels. Salvaged merchandise to be exempt from all customs duties, unless landed for consumption in the country. (Art. XVI.)

(g) Right of subjects of either country to use specified equipments and services in the other established for public use, such as highways, waterways, canals, locks, ferries, bridges, ports, landings, pilotage, cranes, weighbridges, warehouses, salvaging facilities, and other establishments intended for public service and commercial use, whether administered by the State or privately under State authority. No dues to be collected unless the equipment or service was actually used, except for pilotage and maritime lighthouse service. (Art. XVII.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from obligation to accept judicial, administrative, or municipal office (except guardianship), from all military service by land or sea, from all charges, forced loans and military requisitions, and from all charges of any kind imposed during war or any extraordinary circumstances; except quartering of troops and other military charges incumbent on possession of landed property. (Art. III.)

(b) Neither country to obstruct its commerce with the other by any prohibition against importation, exportation, or transit over commercial routes open to transit, except for the following reasons:

- (1) Articles of State monopoly in either country.
- (2) Measures of hygiene, veterinary police, and of public safety.
- (3) Other considerations of extraordinary importance. (Art. V.)

(c) Exemption of merchandise of any kind from all transit duties in either country when passing by a commercial route open to transit, whether going straight through, or unloaded, stored, and reloaded. (Art. IX.)

(d) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise, and must be provided with a license card in the form prescribed. (Art. XI.)

(e) Reciprocal exemption of commercial travelers' samples from import and export duties, subject to customs regulations relating thereto. (Art. XI.)

(f) Right of vessels of either country to load or discharge foreign cargo at different ports of the other on the same voyage, but coasting trade is expressly excepted. (Art. XII.)

(g) Nationality of vessels to be recognized according to ship's papers issued by competent authorities under laws of each country. (Art. XIII.)

(h) Vessels of either country are exempt in ports of the other from tonnage and clearance duties, under conditions stated (Art. XV); except as noted under II *c* above.

(i) Both countries reserve a free hand to regulate rates on their railways (Art. XVIII); but agree to take necessary steps, in conjunction with the respective railway administrations and navigation companies, to secure and improve direct transport communications between the two countries, to which the most advantageous tariffs shall be applied. (Art. XIX.)

V. Exceptions.

(a) The provisions of this treaty do not apply to:

(1) Favors resulting from conditions of a customs union which either party may conclude with any third power. (Art. X, 1.)

(2) Favors accorded to other bordering countries to facilitate frontier traffic within fifteen kilometers of the boundary line. (Ibid.)

(3) Favors respecting importation and exportation which Russia may accord to inhabitants of the Province of Archangel, or on the north and east coasts of Siberia. (Ibid., 2.)

(4) The coasting trade, which is reserved for regulation by the laws of each country. (Art. XII.)

(b) Articles VI, VIII, and IX of this treaty (noted above under I *d-f*, and IV *c*) do not apply to special stipulations of the treaty of 8 May, 1838,^{196a} between Russia and Sweden and Norway, nor to stipulations respecting Russian commerce with Asiatic States and countries bordering on Russia. (Art. X.)

^{196a} See No. 440.

Treaty with Siam.

No. 438.

Declaration between Russia and Siam relating to commerce and navigation.

SIGNED 23 June, 1899, at Bangkok. Effective from date of signature until conclusion of a treaty of friendship and commerce, subject to termination on six months' notice by either party.

TEXT: French (authentic), B. F. S. P. 92:109-10.

Most-favored-nation treatment is reciprocally pledged respecting all rights and privileges which either country may accord by treaty to subjects of other nations in matters relating to jurisdiction, commerce, and navigation.

Treaty with Spain.

No. 439.

Exchange of notes regulating commercial relations and navigation between Russia and Spain.

SIGNED 6 Feb., 1895, and 14 Feb., 1912, at Madrid and St. Petersburg respectively. Effective until conclusion of a definitive treaty; subject to termination on three months' notice by either party.

TEXT: French, B. F. S. P. 103:621-2; 105:998; Spanish and French, Spain Tr. 11:201-2.

Most-favored-nation treatment is reciprocally pledged as follows:

(a) Each country concedes to the other its lowest customs duties, and any tariff advantages or reductions which either has accorded to any third power. (Notes of 1895.)

(b) Treatment of vessels of either country are assured most-favored-nation treatment in ports of the other on condition of reciprocity, with special reference to:

(1) Payment of duties and taxes of every description, whether levied for the State, or for communes, corporations, public officers, or establishments of any kind.

(2) All matters relating to the placing, loading, and unloading of vessels in ports, roadsteads, bays, basins, and docks, of either country.

(3) All formalities and arrangements affecting vessels and their crews or cargoes. (Notes of 1912.)

Treaties with Sweden.

No. 440.

Treaty of commerce and navigation between Russia and Sweden.

SIGNED 8 May, 1838, at Stockholm. Effective from 1 Sept., 1838, for 10 years, and thereafter until terminated by 12 months' notice from either party. (Art. IX.)

TEXT: French, B. F. S. P. 27:779-92; Sweden Tr. 1910:969-73.

I. Most-favored-nation treatment is provisionally pledged to Swedish or Norwegian vessels in Baltic or Black Sea ports with regard to payment of duties pending further regulation of the subject. (Art. I.)

II. National treatment is reciprocally pledged with regard to:

(a) All dues for port, tonnage, lighthouse, pilotage, salvage, and all other dues or charges under whatever name imposed in ports of either country on ships of the other, whether levied by the State, or by communes, or private establishments of any kind. (Art. I.)

(b) Importation and exportation. All objects of commerce permitted to be imported into or exported from either country in its own vessels may likewise be imported or exported in ships of the other, from whatever place arriving, without paying other or higher duties of any kind than when carried in national vessels. But special advantages concerning importation or exportation of certain articles (subject to exceptions named) may be conceded by either country for an equivalent to any third power. (Arts. II, III.)

III. Other provisions.

(a) Dried or salted fish brought by Norwegian ships to Archangel may be admitted without bill of lading and sold on board ship; and similarly merchandise brought in Russian ships from the White Sea may be sold on board ship in specified Norwegian ports. (Art. V.)

(b) Products of Sweden or of Finland imported from either country into the other pay the duties specified in the special tariffs annexed to the treaty.

(c) Extensive and detailed provisions regarding special or exceptional treatment of specified products and vessels of either country, in the other. (Arts. IV-VII and addl. art. attached.)

No. 441.

Convention of commerce, navigation, and industry between Russia and Sweden.

SIGNED 9 Aug., 1906, at St. Petersburg. Effective from date of signature. Terminable on 12 months' notice from either party.

TEXT: French, B. F. S. P. 101:585-6; Sweden Tr. 1910:997-8.

Most-favored-nation treatment is reciprocally pledged in all matters concerning commerce, navigation, industry, and import duties, except:

(a) Special favors which Sweden may accord exclusively to the subjects, merchandise, and commercial, industrial, or financial associations of Norway.

(b) Stipulations regarding Russian commerce with Asiatic States or countries bordering on Russia.

(c) Favors which Russia may grant to residents of the Province of Archangel regarding importation or exportation, or concerning trade with the north and east coasts of Siberia. But Swedish imports may claim the benefit of any customs facilities accorded to imports into these territories from any European State or from North America.

(d) The coasting trade of both countries, which is reserved for regulation by their respective laws.

Treaty with Switzerland.

No. 442.

Convention of settlement and commerce between Russia and Switzerland.

SIGNED 26 Dec., 1872, at Berne. Effective for 10 years and thereafter until terminated by 12 months' notice from either party. (Art. XII.)

TEXT: French, B. F. S. P. 63: 631-5.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting all privileges, favors, or immunities which either country may accord to any other State in matters concerning commerce, settlement, and exercise of industrial professions. (Art. VII.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Acquisition, possession, and disposal of or succession to all kinds of movable or immovable property which the laws of the country permit foreigners to acquire or possess, by will or otherwise. (Art. IV.)

(b) All taxes, duties, imposts, contributions, or charges of any kind payable by subjects of either country in the other in time of peace or war. (Art. VI.)

(c) Any restrictions which either country may impose regarding appointment of consuls. Consular agents of either country engaging in commerce are subject, as regards their commercial transactions, to the same laws and usages as subjects of the most-favored nation. (Art. VIII.)

(d) All privileges, powers, exemptions, and immunities accorded to consular officers in either country, on condition of reciprocity. (Art. X.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged to subjects of either country in the other with regard to residence, establishment, passports, permits, exercise of commerce, industry, and professions, and all rights, privileges, exemptions, taxes, charges, or conditions relating to any of these matters, subject to special laws and regulations applying to all foreigners in matters of commerce, industry, and police. (Art. I.)

III. National treatment is reciprocally pledged with regard to:

(a) Right of subjects of either country and their families to enter and reside or settle in any part of the other; to hire and occupy houses and warehouses; to engage in any profession or industry; and to trade in all articles of lawful commerce by wholesale or retail in person or otherwise. (Art. I.)

(b) All rights and privileges concerning access to courts of justice in either country, and employment of advocates or other agents therein. (Art. III.)

(c) Right of subjects of either country to inherit property in the other and take possession thereof in person or otherwise, and to withdraw or export their property or proceeds if sold; and all imposts, contributions, duties, or charges relating to any of these rights; also treatment of property left without heirs. (Art. IV.)

IV. Other provisions.

(a) Subjects of either country residing in the other and desiring to return to their native land, or who may be sent back by legal process (judicial sentence, police measures, or laws concerning mendicancy or morals) must be received with their families at all times and in all circumstances. (Art. II.)

(b) No succession duties to be collected in either country from resident subjects of the other, not legally domiciled in the country of residence, on inherited property situated in their home country. (Art. IV.)

(c) Exemption of each other's citizens from all compulsory military service by land or sea, from all contributions in lieu of personal service, and from all military requisitions; except quartering of troops and other military requisitions, contributions, or charges incumbent on possession of landed property in either country. (Art. V.)

(d) Consular archives must in all cases be kept separate from books or papers relating to personal business or industry in which consular agents may engage (Art. IX), and shall be inviolable, and in no case subject to visit or seizure by local authorities (Art. XI).

Treaty with Turkey.

No. 443.

Convention of commerce and navigation between Russia and Turkey.

SIGNED 21 June, 1783, at Constantinople. No time limit stated. Declared terminated by Turkey, as from 1 Oct. 1914. (Report of American consul general at Constantinople to United States Department of State, 13 Oct., 1916.)

TEXT: French, B. F. S. P. 100:766-86.

I. Most-favored-nation treatment is reciprocally pledged to subjects of either country in the other in matters of commerce and customs duties; with special reference to all privileges and immunities accorded by the capitulations to the French and the English, and all rights and privileges which any other nation enjoys in the Ottoman Empire. (Arts. LXXVII and LXXXI.)

II. Other provisions include extensive and detailed stipulations concerning freedom of Russian shipping and commerce in Turkey, and relating to rights and privileges assured to Russian subjects throughout the Ottoman Empire.

SALVADOR.

Treaties with America, United States of, to Italy.

Treaties of Salvador with the following countries have been previously dealt with in this volume under:

America, United States of, No. 43.

Belgium, No. 117.

France, No. 305.

Honduras, No. 354.

Italy, No. 367.

Treaty with Spain.

No. 444.

Treaty of peace and friendship between Salvador and Spain.

SIGNED 24 June, 1865, at Madrid. Duration indefinite.

TEXT: Spanish, Salvador Pact. Int. 1:182-8; English (transl.), B. F. S. P. 58:1250-5.

Most-favored-nation treatment is reciprocally but conditionally pledged in general terms respecting all exemptions, favors, or privileges in matters of commerce, customs, or navigation. (Art. IX.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Any duties imposed by either country on merchandise imported or exported to or from the other, and payment of port dues incidental thereto. (Art. IX.)

(b) All terms, conditions, and obligations imposed by either country on citizens of the other regarding exercise of trades and professions; and possession, acquisition, and disposal of, or succession to, property of all kinds, movable or immovable, by will or otherwise, including right to export property or proceeds if sold. (Art. VII.)

(c) All ordinary taxes imposed by either country on citizens of the other on account of their occupation, trade, or property. (Art. VIII.)

(d) All liberties, privileges, and immunities accorded by either country to diplomatic and consular agents. (Art. X.)

Treaty with Switzerland.

No. 445.

Treaty of friendship, establishment, and commerce between Salvador and Switzerland.

SIGNED 30 Oct., 1883, at Berne. Effective from 7 Feb., 1885, for 10 years, and thereafter terminable on 12 months' notice by either party, subject to revision at any time by common consent. (Art. XIV.)

TEXT: Spanish, Salvador Pact. Int. 3: 230-5; French, Martens 60: 617-21.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting any favor in matters of commerce or customs. (Art. XI.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Duties imposed by either country on importation, warehousing, transit, or exportation of products of the other. (Art. X.)

(b) All privileges, exemptions, and immunities accorded by either country to consular officers. (Art. VIII.)

(c) Any precautionary police measures applied by either country to citizens of the other. (Art. I.)

II. National or most-favored-nation treatment is reciprocally pledged in regard to:

(a) All duties, taxes, or imposts of any kind payable in either country by citizens of the other on account of their commerce and industry. (Art. I.)

(b) Everything that relates to importation, warehousing, transit, or exportation of any article of lawful commerce. (Art. IX.)

(c) All taxes, duties, contributions, or charges imposed on property, and all imposts of any kind imposed by either country on citizens of the other. (Art. VI.)

(d) Any charges imposed by either country on citizens of the other concerning quartering of troops in accordance with established custom of the country. (Art. V.)

III. National treatment is reciprocally pledged in regard to:

(a) Right of citizens of either country to travel and reside in the other, to exercise professions, commerce, and industry in any capacity by wholesale or retail; to hire and occupy houses, warehouses, shops, and other necessary premises; to transport merchandise and money; and receive consignments, domestic or foreign, without being subject to other obligations than those imposed on native citizens, except precautionary police measures applying to all foreigners without distinction. (Art. I.)

(b) All rights, privileges, and conditions regarding protection of persons and property in either country, including access to courts of justice and employment of advocates or others therein. (Art. III.)

(c) Recognition by courts of either country of commercial, industrial, and financial stock companies duly constituted in the other. (Art. III.)

(d) Right of citizens of either country to acquire and possess property of all kinds in the other, real or personal, and to dispose of the same, or succeed thereto, in any manner whatever, including export of proceeds if sold; and all imposts, contributions, or charges relating to any of these. (Art. IV.)

IV. Other provisions.

(a) Commercial, industrial, and financial stock companies duly constituted in either country have the same rights as individuals in the other, as regards recognition by courts of justice. (Art. III.)

(b) Exemption of each other's citizens from all compulsory military service by land or sea; from all contributions in substitution therefor; and from all forced loans and military requisitions or contributions, except quartering of soldiers to which all other residents are equally liable. (Art. V.)

(c) Temporary duty-free admission of samples introduced into either country by commercial travelers from the other, subject to observing customs formalities relating thereto. (Art. XII.)

(d) Citizens of either country returning from the other, voluntarily or for other stated reasons, must be admitted by the country of their birth, under all circumstances, together with their families. (Art. II.)

(e) Mutual protection of each other's citizens regarding freedom of conscience and religion, and burial of the dead, on condition of their observing the laws of the country. (Art. VII.)

(f) Disputes between the two countries to be submitted for arbitration to a tribunal constituted in the manner described. (Art. XIII.)

Treaties with the United States of America.

Treaties of Salvador with the United States have been previously dealt with in this volume under America, United States of, No. 43.

Treaty with Venezuela.

No. 446.

Treaty of friendship, commerce and navigation between Salvador and Venezuela.

SIGNED 27 Aug., 1883, at Caracas. Effective from 11 Dec., 1884, for five years, and thereafter terminable on 12 months' notice by either party. (Art. 46.)

TEXT: Spanish, Salvador Pact. Int. 2: 274-85; Martens 64: 215-23; English (transl.), B. F. S. P. 74: 298-307.

I. Most-favored-nation treatment is reciprocally pledged in general terms respecting any favor, privilege, or exemption in matters of commerce and navigation. (Art. 45.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Right of citizens of either country to enter freely and securely with ships and cargoes all ports, rivers, and places open to foreign commerce in the other, subject to laws and police regulations of the country. (Art. 14.)

(b) Payment of duties or taxes imposed by either country on lawful importation of any merchandise in ships of the other, from whatever place arriving. (Art. 18.)

(c) Duties payable by vessels of either nation loading or discharging foreign cargo at different ports of the other on the same voyage; but the coasting trade of both countries is reserved for regulation by their respective laws. (Art. 19.)

(d) All import duties or prohibitions imposed by either country against products of the other. (Art. 20.)

(e) Right of war ships of either country to enter or remain in ports of the other open to foreign commerce, and all regulations and privileges relating thereto. (Art. 26.)

(f) All favors, immunities, and privileges accorded by either country to diplomatic and political agents. (Art. 37.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged to citizens of either country in the other respecting military requisitions, contributions of war, or forced loans imposed generally on landed property in either country. (Art. 4.)

III. National treatment is reciprocally pledged in regard to:

(a) All civil rights and guarantees to be enjoyed in either country by citizens of the other, subject to the laws and jurisdiction of the country. (Art. 2.)

(b) Right to acquire, possess, and dispose of property of any kind, and to exercise commerce and industry in either country, and all taxes, contributions, or imposts relating thereto. (Art. 3.)

(c) All tonnage, lighthouse, port, pilotage, anchorage, quarantine, and other dues affecting the hull of the vessel, payable by ships of either country entering or leaving ports of the other, whether loaded or in ballast. (Art. 17.)

(d) Right to export any articles of lawful commerce from either country in vessels of either nation, and all duties and exemptions relating thereto. (Art. 21.)

(e) Protection to be accorded by diplomatic agents of either Republic to persons and interests of citizens of the other in foreign countries where either has no accredited agents. (Art. 38.)

(f) Protection of rights and interests of each other's citizens, and judicial procedure relating thereto; with special reference to losses, damages, or injuries suffered from any cause. (Art. 5.)

(g) Indemnities payable to citizens of either country for embargo, confiscation, or detention of their persons, vessels, or properties in the other, on account of military expeditions or for any other purpose. (Art. 15.)

(h) Privileges accorded in either country respecting property in trade or industrial marks, labels, designs, or models. (Art. 41.)

IV. Other provisions.

(a) Exemption of each other's citizens from military service by land or sea, and from requisitions, forced loans, or contributions for military purposes, except when imposed on all landed property in either country. (Art. 4.)

(b) Landed property in either country belonging to citizens of the other is subject to the laws of the country where situated. (Art. 8.)

(c) Validity in either country, subject to its constitution and laws, of contracts, deeds, and other public instruments legally executed in the other. (Arts. 10, 11.)

(d) Nationality of merchant vessels under flag of either country to be recognized by the other, if carrying ship's or other papers required by law. (Art. 16.)

(e) Reciprocal concessions made by this treaty, or made later in consideration of community of origin and of institutions, etc., shall not constitute a precedent in dealing with other countries not placed in identical circumstances. (Art. 45.)

(f) Detailed and extensive provisions relating to execution of requisitorial letters addressed by tribunals of either country to those of the other (Art. 12); treatment of each other's vessels seeking refuge from damage or shipwreck (Arts. 22, 23); recovery of vessels captured by pirates (Art. 24); principles of neutrality in case of war (Art. 27); articles declared contraband of war (Arts. 28-30); blockade (Arts. 31, 32); visit and search of vessels (Arts. 33-35); and prize courts (Art. 36).

SERB-CROAT-SLOVENE STATE.¹⁹⁷

Treaties with America, United States of, to Russia.

Treaties of the Serb-Croat-Slovene State with the following countries have been previously dealt with in this volume under:

America, United States of, No. 44.	Greece, No. 346.
Austria, No. 63.	Italy, No. 368.
Austria-Hungary, No. 86.	Montenegro, No. 396.
Belgium, No. 118.	Netherlands, No. 405.
Bulgaria, No. 210.	Portugal, No. 426.
Denmark, No. 272.	Rumania, No. 433.
France, No. 306.	Russia, No. 437.
Germany, Nos. 314 and 332.	
Great Britain (under British Empire), No. 185.	

Treaty with the Principal Allied and Associated Powers.

No. 447.

Treaty between the Serb-Croat-Slovene State and the Principal Allied and Associated Powers.

SIGNED¹⁹⁸ 10 Sept., 1919, at St. Germain. Effective from 16 July, 1920, for indefinite term, but various time limits are placed on operation of specified articles of the treaty.

TEXT: English, U. S., 67th Cong., 1st sess., S. Doc. No. 7: 5-12; G. B. T. S. 1919, No. 17, Cmd. 461.

I. National and most-favored-nation treatment.—Pending conclusion (under auspices of the League of Nations) of general conventions on the matters named, the Serb-Croat-Slovene State assures national and most-favored-nation treatment, on condition of reciprocity (Art. 15), to all the Allied and Associated States, and to all States members of the League of Nations (Art. 16), in respect to:

(a) Treatment of vessels of all said States which accord similar treatment to Serb-Croat-Slovene vessels, except the maritime coasting trade, which any of the contracting parties may confine to its national vessels; and except agreements which States obtaining former Austro-Hungarian territory may conclude as regards coasting traffic between ports of the Adriatic Sea. (Art. 14.)

¹⁹⁷ Treaties of the former Kingdom of Serbia in force before the World War apply to the new Serb-Croat-Slovene State (State Department dispatch No. 744, Belgrade, 25 Feb., 1921).

¹⁹⁸ Signed by the following Powers: America, United States of, British Empire, France, Italy, Japan, and the Serb-Croat-Slovene State.

(b) Freedom of transit for persons, goods, vessels, carriages, wagons, and mails in transit to or from any of said States over Serb-Croat-Slovene territory, including territorial waters, with special reference to facilities, charges, restrictions, and all other matters. (Art. 15.) This article is terminable after 16 July, 1925, as noted below under III *a*.

II. Other provisions.

The Serb-Croat-Slovene State undertakes and agrees:

(a) To make no treaty, convention, or arrangement and to take no other action which will prevent it from joining in any general convention for the equitable treatment of the commerce of other States which may be concluded under auspices of the League of Nations before 16 July, 1925. (Art. 13.)

(b) To extend to all the Allied and Associated Powers, and to States members of the League of Nations, any favors or privileges in customs matters which it may grant before 16 July, 1925, to any State with which since August, 1914, said powers have been at war, or to any State having special customs arrangements with such State under Article 222 of the treaty of peace with Austria.¹⁹⁹ (Arts. 13 and 16.)

(c) That goods in transit through Serb-Croat-Slovene territory, including territorial waters, shall be exempt from all customs or other duties; and that freedom of transit shall extend to postal, telegraphic, and telephonic services. (Art. 15.) This article is terminable after 16 July, 1925, as noted below under III *a*.

(d) To assure full and complete protection of life and liberty to all inhabitants of the Kingdom, without distinction of birth, nationality, language, race, or religion. (Art. 2.) Differences of religion, creed, or confession shall not prejudice any Serb-Croat-Slovene national in matters relating to civil or political rights, as, for instance, admission to public employments, functions, and honors, or exercise of professions or industries. (Art. 7.)

(e) That stipulations of this treaty, so far as they affect persons belonging to racial, religious, or linguistic minorities, constitute obligations of international concern, and shall be placed under the guarantee of the League of Nations, as described in detail. (Art. 11.)

(f) That all rights and privileges accorded by this treaty to the Allied and Associated Powers shall be accorded equally to all States members of the League of Nations. (Art. 16.)

III. Note.

(a) If no general convention to secure and maintain freedom of communications and of transit is concluded under auspices of the League of Nations before 16 July, 1925, the Serb-Croat-Slovene State

¹⁹⁹ See No. 63. IIa.

may at any time thereafter terminate the provisions of Article 15 (noted under I, I *b*, and II *c* above) by 12 months' notice in manner stated. (Art. 15.)

(*b*) Pending conclusion of new treaties or conventions all treaties, conventions, agreements, and obligations between Serbia and any of the Principal Allied and Associated powers which were in force on 1 Aug., 1914, or have since been concluded, shall ipso facto be binding upon the Serb-Croat-Slovene State. (Art. 12.)

Treaty with Spain.

No. 448.

Commercial convention between Serbia and Spain

SIGNED 5 Nov., 1908, at Vienna. Ratifications exchanged there 26 Mar., 1909. Effective from 26 Mar., 1909. Terminable on one year's notice from either party. (Arts. VI, VII.)

TEXT: French, Martens 89: 839-40; B. F. S. P. 102: 968-9; Serbian, Serbia Srpske Novine 1909, No. 54.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) respecting any duties payable in either country on importation of products of the other. (Arts. I, II.)

II. Other provisions.—Each country reserves the right to require certificates of origin of imported goods at its discretion. (Art. IV.)

III. Exceptions. This convention does not apply to:

(*a*) Special advantages which either country may grant to bordering States to facilitate frontier traffic, or which Spain may accord to Morocco. (Art. III.)

(*b*) Concessions resulting from a customs union of either party with other countries. (Art. III.)

(*c*) Merchandise of which importation is prohibited by either country for reasons of public safety, sanitation, State monopoly, or local government regulations. (Art. V.)

Treaty with Sweden.

No. 449.

Declaration between Serbia and Sweden granting most-favored-nation treatment.

SIGNED 11 Apr., 1907, at Belgrade. Effective from 13 Jan., 1908, until terminated by 12 months' notice from either party.

TEXT: French, B. F. S. P. 101: 590-1; Sweden Tr. 1910: 1005.

Most-favored-nation treatment is reciprocally pledged in all that concerns commerce, industry, and import duties, except:

(*a*) Special favors which Sweden may accord exclusively to Norwegian subjects and merchandise, and to commercial, industrial, and financial companies or associations of Norway.

(*b*) Concessions which either country may accord to bordering countries to facilitate frontier traffic.

(*c*) Concessions resulting from conclusion of a customs union.

Treaty with Switzerland.

No. 450.

Treaty of commerce between Serbia and Switzerland.

SIGNED 28 Feb., 1907, at Belgrade. Effective from 19 Apr., 1907, until 31 Dec., 1917, and thereafter until terminated by one year's notice from either party. (Art. XV.)

TEXT: French, B. F. S. P. 101: 591-600; German, Martens 85: 619-24.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms to subjects of either country in the other respecting all rights, privileges, immunities, favors, and exemptions which either country may accord to any third power in any respect, subject to special laws and regulations in matters of commerce, industry, or police applying to all foreigners in either country (Art. I) and subject to exceptions noted below.

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Acquisition, possession, and disposal of, or succession to, all kinds of movable or immovable property which the laws of the country permit foreigners to acquire or possess, by will or otherwise. (Art. II.)

(b) Rights which stock companies and other commercial, industrial, or financial associations of either country are permitted to exercise in the other, with special reference to actions in courts of justice. (Art. V.)

(c) Treatment by either country of imported products of the other, whether destined for consumption, warehousing, reexportation, or transit, with special reference to payment of duties and all matters concerning use of highways and other routes, canals, locks, bridges, ports, and landings. (Art. VII.)

(d) Any favor, immunity, or reduction of import duties which either party may accord to any third power. (Art. VII.)

(e) Any duties levied by either country on objects exported to the other and any other favors relating to exportation. (Art. X.)

(f) Treatment in either country of merchants, manufacturers, and their commercial travelers from the other with reference to passports and payment of trade dues. (Art. XIII.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged with regard to:

(a) Quartering of troops and other exceptional military requisitions which either country may impose on citizens of the other. (Art. IV.)

(b) Internal duties levied in either country on production or consumption, whether imposed by the State or by communes or corporations. Such duties must not bear more heavily on imported products

of the other country than on similar articles of domestic or other foreign production. (Art. IX and final protocol.)

III. National treatment is reciprocally pledged with regard to:

(a) All rights and imposts relating to exercise of commerce and industry in either country. (Art. II.)

(b) All dues, taxes, or charges under whatever name relating to acquisition, possession, and disposal of or succession to property, by will or otherwise, including exportation of property or of proceeds if sold. (Art. III.)

(c) All rights and immunities regarding access to courts of justice and employment of advocates or other agents therein. (Art. III.)

(d) Treatment of citizens of either country proceeding to fairs or markets in the other to follow their calling and sell their products, with special reference to payment of taxes. (Art. XIII.)

IV. Other provisions.

(a) Citizens of either country are exempt in the other from obligation to accept judicial, administrative, or municipal office (except guardianship), from all personal military service by land or sea, and from all military taxes, loans, forced loans, requisitions, and contributions of any kind imposed during war or in other extraordinary circumstances, except charges incumbent on possession of landed property, quartering of troops, or other special contributions for military purposes. (Art. IV.)

(b) Neither country to obstruct its commerce with the other by prohibitions against importation, exportation, or transit; except for the following reasons applying to all other countries under the same conditions:

(1) Provisions of war in exceptional circumstances. (Art. IV, 1.)

(2) Considerations of public security. (Ibid., 2.)

(3) Sanitary measures, or to protect animals and useful plants from diseases, noxious insects, and parasites. (Ibid., 3.)

(4) Application to imported merchandise of internal laws prohibiting or restricting domestic production, sale, or transportation of similar articles of national production. (Ibid., 4.)

(c) Products of either country enumerated in Tariffs A and B annexed to this treaty to pay on importation into the other no other or higher duties than those specified in these tariffs. (Art. VIII.)

(d) Exemption of merchandise of any kind from all transit duties in either country when passing by a commercial route open to transit, whether going straight through, or unloaded, stored, and reloaded. (Art. XI.)

(e) Merchants, manufacturers, and commercial travelers of either country making purchases or soliciting orders in the other may carry samples but not merchandise, and must be provided with a license card in the form prescribed. (Art. XIII and annex.)

(f) Exemption of commercial travelers' samples from import and export duties in either country, subject to customs regulations relating thereto. (Art. XIII.)

(g) Arbitration of disputes concerning interpretation of this treaty or its annexes, or application of duties fixed by tariff treaties of either country with third Powers, and detailed statement of procedure relating thereto. (Art. XIV and final protocol.)

(h) Importation of animals and animal products from Serbia into Switzerland is subject to Swiss laws and regulations governing these matters; their transit through Switzerland being permitted in closed and sealed wagons. (Notes annexed.)

V. Exceptions.—The provisions of this treaty do not apply to:

(a) Concessions to bordering countries to facilitate frontier traffic within 15 kilometers of the boundary line. (Art. XII, 1.)

(b) Concessions which may be accorded to another State by engagements of a customs union. (Ibid., 2.)

(c) Special customs facilities accorded by Switzerland in favor of the free zone of Haute-Savoie and of the Pays de Gex. (Final protocol and Art. XII.)

(d) Peddlers and other itinerant industries, and soliciting orders from persons not engaged in commerce or industry. (Art. XIII.)

Treaty with Turkey.

No. 451.

Treaty of commerce between Serbia and Turkey.

SIGNED 28 May, 1906, at Constantinople. Effective from 29 Dec., 1906, for five years, and thereafter until terminated by 12 months' notice from either party. (Art. XIII.)

TEXT: French, B. F. S. P. 101: 600-6.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting any concession, privilege, or reduction in customs duties or internal dues or taxes which either country may accord to any third State. (Art. II.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Treatment of products of either country imported into the other in matters concerning import, export, and transit duties, re-exportation, transshipment, brokerage, warehousing, internal dues, customs duties and formalities, taxes, imposts, transportation, and use of railways. (Ibid.)

(b) Any prohibitions which either country may impose against the other regarding importation, exportation, or transit. (Ibid.)

(c) Duties payable on importation of Ottoman products enumerated in the tariff annexed to this treaty. (Art. IV and final protocol, Art. II.)

II. National or most-favored-nation treatment (optional) is reciprocally pledged respecting internal duties levied in either country on production or consumption. Such duties must not bear more heavily on imported products of the other country than on similar products of domestic or other foreign production. (Art. VII and final protocol, Arts. II and IV.)

III. National treatment is reciprocally pledged with regard to:

(a) All rights, charges, imposts, or taxes regarding exercise of commerce, professions, trades, or industry in either country by citizens of the other. (Art. I and final protocol, Art. I.)

(b) Treatment in either country of commercial travelers from the other and of citizens of either country proceeding to markets or fairs in the other to sell their wares or follow their callings. Art. VIII.)

(c) Protection of subjects of either country in the other in matters concerning trade and industrial marks, models, and designs. (Art. XII.)

IV. Other provisions.

(a) Neither country to obstruct its commerce with the other by any prohibition against importation or transit, except in the following cases:

(1) Military requirements in exceptional circumstances. (Art. IV, 1.)

(2) Considerations of public safety. (Ibid., 2.)

(3) Measures of sanitary and veterinary police for protection of public health, or to protect animals and useful plants from disease or infections. (Ibid., 3.)

(4) Government monopolies of either country. (Ibid., 4.)

(b) Importation and transit of powder, dynamite, and similar explosives (also chemical products for manufacture of explosives), cannon, arms, and munitions of war is formally prohibited in both countries. Commerce in arms and munitions is placed under the immediate and special supervision of the respective Governments. (Art. VI.)

(c) Merchants and manufacturers of either country and their agents or commercial travelers are exempt in the other from payment of trade dues, when traveling exclusively in the interest of their commerce or industry, if furnished with a license card in the form prescribed (Art VIII and annex); except as noted below under V b.

(d) Recognition by either country of joint stock companies and other commercial, industrial, or financial associations duly constituted in the other; with special reference to actions in courts of justice. (Art. IX.)

(e) Detailed provisions concerning exemption of carriers from taxes outside their own State (Art. VIII); through railway traffic between the two countries (Art. X); suppression and punishment of smuggling (Art. XI); and deposit of trade-marks and industrial designs or models to secure their protection in either country (Art. XII).

V. Exceptions.

(a) The most-favored-nation provisions of Article II (noted above under I and I *a-b*) do not apply to:

(1) Concessions made to other bordering States to facilitate frontier traffic within 15 kilometers of the boundary line. (Art. III, *a*.)

(2) Concessions accorded to another State in virtue of a customs union. (Ibid., *b*.)

(3) Export duties payable on exportation to Serbia of tobacco produced within the Ottoman Empire. (Ibid., *c*.)

(b) The provisions of Article VIII (noted above under IV *c*) do not apply to:

(1) Solicitation of orders from persons not engaged in commerce or industry. (Art. VIII, 1.)

(2) Brokers, peddlers, and other exclusively itinerant trades and professions. (Ibid., 2.)

Treaties with the United States of America.

Treaties of the Serb-Croat-Slovene State with the United States have been previously dealt with in this volume under America, United States of, No. 44.

SIAM.

Treaties with America, United States of, to Russia.

Treaties of Siam with the following countries have been previously dealt with in this volume under:

America, United States of, No. 45.	Italy, No. 369.
Austria, No. 63.	Japan, No. 381.
Austria-Hungary, No. 87.	Netherlands, No. 406.
Belgium, No. 119.	Norway. See Sweden and Norway, No. 453.
Bulgaria, No. 210.	Portugal, No. 427.
Denmark, No. 273.	Russia, No. 438.
France, No. 307.	
Germany, Nos. 314 and 333.	
Great Britain (under British Empire), Nos. 186 to 188.	

Treaty with Spain.

No. 452.

Treaty of friendship, commerce, and navigation between Siam and Spain.

SIGNED 23 Feb., 1870, at Bangkok. Duration indefinite; subject to revision after 23 Mar., 1882, on 12 months' notice from either party. (Art. XXXVI.)
TEXT: English (authentic), B. F. S. P. 61: 483-95.

I. Most-favored-nation treatment is pledged to the Government and citizens of Spain regarding free and equal participation in all privileges and advantages which Siam may grant to the Government or subjects of any other nation. (Art. XXXIV.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Reciprocal right to all advantages which either country may grant to subjects of any foreign nation. (Art. I.)

(b) All privileges, immunities, exemptions, and powers accorded to consular agents by either country. (Art. IV.)

(c) Freedom of conscience and religious worship in either country. (Art. VIII.)

(d) Taxation of rustic property of Spanish subjects in Siam. (Art. XIII.)

II. National or most-favored-nation treatment (optional) is pledged to Spanish vessels respecting all privileges and immunities which may be granted to Siamese or any other vessels. (Arts. XXIV, XXXI.)

III. Other provisions.

(a) Protection of persons and property of subjects of either country in the other. (Art. I.)

(b) Right of Spanish subjects of either country to free exercise of their religion in the other, including right to build churches. (Art. VIII.)

(c) Spanish subjects wishing to reside in Siam must be registered at the Spanish consulate in the manner described. (Art. IX.)

(d) Right of subjects of Spain to reside in Siam within boundaries stated, and beyond these limits by special permission; and to travel and trade throughout the whole of Siam, buying and selling any lawful merchandise without hindrance from any exclusive right of purchase or sale. (Art. XI.)

(e) Right of subjects of Spain to build, sell, buy, rent, or let houses and warehouses, and to buy, sell, rent, let, or lease lands or plantations within boundaries stated; subject to resumption by the Siamese Government if the lands are not cultivated or improved within three years from date of possession. (Arts. XII, XIII.)

(f) Spanish subjects may undertake shipbuilding and any other lawful industry in Siamese ports, and may engage in mining in any part of Siam. (Art. XV.)

(g) By paying specified duties of importation and exportation, Spanish merchant vessels shall be free in Siamese ports from all taxes of tonnage, pilotage, anchorage, and from any other dues whatever. (Art. XXIV.)

(h) Duties payable in Siam on foreign merchandise imported by vessels of Spain shall not exceed 3 per cent ad valorem (Art. XXV), which shall never be increased (Art. XXVII). Upon payment of specified import and export duties (Arts. XXV, XXVI), Spanish subjects may freely import into or export from Siam to or from any foreign port every kind of merchandise, except specified articles subject to restrictions named (Arts. XXVIII, XXIX).

(i) Detailed and extensive provisions relating to appointment and functions of consuls (Arts. II-X, XIV, XVII, XIX, XXXIII); settlement of disputes between Spanish and Siamese subjects (Arts. VI, VII); disposal of property left by subjects of either country dying in the other (Art. XIV); employment of Siamese subjects (Art. XVI); arrest of sailors, criminals, and fugitives (Art. XVII); passports (Art. XVIII); recovery of debts (Art. XX); bankruptcy (Art. XXI); assistance to ships in distress (Art. XXIII); and piracy or robbery on shore (Art. XXXII).

(j) Commercial regulations for the conduct of Spanish trade in Siam. (Annexed.)

(k) Tariff schedules of import, export, and inland duties. (Annexed.)

Treaty with Sweden and Norway.

No. 453.

Treaty of friendship, commerce, and navigation between Siam and Sweden and Norway.

SIGNED 18 May, 1868, at London. Duration indefinite. Subject to revision on 12 months' notice from either party. (Art. XXIV.)

TEXT: French, B. F. S. P. 69: 1135-46; English, Sweden Tr. 1910: 1006-14; Norwegian, Norway Tr. 1914: 186-97.

I. Most-favored-nation treatment is pledged to the Government and citizens of Sweden and Norway regarding free and equal participation in any privileges which Siam may grant to the Government or subjects of any other nation. (Art. XXIII.)

Most-favored-nation treatment is further reciprocally pledged in regard to:

(a) Freedom of commerce and navigation in any part of either country where trade and navigation are allowed to foreigners. (Art. I.)

(b) All privileges, immunities, powers, and exemptions accorded to consular agents by either country. (Art. II.)

II. National or most-favored-nation-treatment (optional) is pledged to vessels of Sweden and Norway and their cargoes in Siamese ports respecting any privileges or immunities granted to junks and to Siamese or foreign vessels. (Art. XVIII.)

III. National treatment is pledged respecting taxes payable by subjects of Sweden and Norway on landed property acquired in Siam under conditions stated. (Art. VIII.)

IV. Other provisions.

(a) Protection of persons and property of subjects of either country in the other. (Art. I.)

(b) Right of subjects of Sweden and Norway to free exercise of their religion and right to build churches. (Art. III.)

(c) Subjects of Sweden and Norway wishing to reside in Siam must be registered at their consulate in the manner described. (Art. IV.)

(d) Right of subjects of Sweden and Norway to reside in Siam within boundaries stated, and beyond these limits by special permission; and to travel and trade throughout the whole of Siam, buying and selling any lawful merchandise without hindrance from any exclusive right of purchase or sale. (Art. V.)

(e) Right of subjects of Sweden and Norway to hire, buy, or build houses, and to buy or lease lands or plantations within boundaries stated, subject to resumption by the Siamese Government if the lands are not cultivated or improved within three years from date of possession; also right to engage in mining and all kinds of lawful industry in Siam. (Art. VIII.)

(f) By paying the specified duties of importation and exportation, vessels of Sweden and Norway and their cargoes shall be free in Siamese ports from all taxes of tonnage, pilotage, anchorage, and from any other tax whatever. (Art. XVIII.)

(g) Duties payable in Siam on merchandise imported by vessels of Sweden and Norway shall not exceed 3 per cent ad valorem (Art. XIX), which shall never be increased (Art. XXI). Upon payment of specified import and export duties, subjects of Sweden and Norway may freely import into or export from Siam to or from any foreign port every kind of merchandise, except specified articles subject to restrictions named. (Art. XXI.)

(h) Detailed and extensive provisions relating to functions of consuls (Art. II); employment of Siamese subjects (Art. VI); passports (Art. VII); settlement of disputes between Swedish and Norwegian and Siamese subjects (Arts. IX, X); piracy or robbery on shore (Art. XI); arrest of sailors, criminals, and fugitives (Art. XII); bankruptcy (Art. XIII); recovery of debts (Art. XIV); disposal of property left by subjects of either country dying in the other (Art. XV); warships (Art. XVI); assistance to ships in distress (Art. XVII); and arbitration of disputes between the two countries (Art. XXV).

(i) Commercial regulations for the conduct of Swedish and Norwegian trade in Siam. (Annexed.)

(j) Tariff schedules of export and inland duties. (Annexed.)

Treaties with the United States of America.

Treaties of Siam with the United States have been previously dealt with in this volume under America, United States of, No. 45.

SOUTH AFRICA.

See British Empire, page 290, note 40.

SPAIN.

Treaties with America, United States of, to Siam.

Treaties of Spain with the following countries have been previously dealt with in this volume under:

America, United States of, No. 46.	Italy, No. 370.
Argentina, No. 61.	Japan, Nos. 382 and 383.
Bolivia, No. 135.	Netherlands, No. 407.
Bulgaria, No. 218.	Nicaragua, No. 411.
China, No. 241.	Paraguay, No. 417.
Colombia, No. 252.	Persia, No. 420.
Costa Rica, No. 255.	Peru, No. 423.
Denmark, No. 274.	Portugal, No. 428.
France, No. 308.	Rumania, No. 434.
Germany, No. 334.	Russia, No. 439.
Great Britain (under British Empire), Nos. 189 to 194.	Salvador, No. 444.
Greece, No. 347.	Serb-Croat-Slovene State, No. 448.
Guatemala, No. 351.	Siam, No. 452.

Treaty with Sweden.

No. 454.

Convention for regulating commercial relations between Spain and Sweden.

SIGNED 27 June, 1892, at Aranjuez. Effective from 9 Aug., 1893, until terminated by 12 months' notice from either party.* (Art. XV.)

TEXT: French, B. F. S. P. 84:113-18; Sweden Tr. 1910:688-93; Spanish and French, Spain Tr. 10:247-58.

I. Most-favored-nation treatment is reciprocally pledged (subject to exceptions noted below) with regard to:

(a) Import duties which either country may impose on products of the other listed in Tables A and B annexed to this convention, when imported direct by land or sea (Arts. IV, V, and final protocol,

* Terminated. See Appendix.

Art. II); including transshipments consigned on through bills of lading (Final protocol, Art. IV).

(b) Commerce in general, with special reference to matters concerning consumption, warehousing, reexportation, transit, and transshipment of merchandise (Art. VI); except as noted below under IV b.

(c) Treatment in either country of commercial travelers from the other in the matter of licenses. (Art. XII.)

II. National treatment is reciprocally pledged with regard to:

(a) Succession dues payable by citizens of either country on inheritance of property in the other. (Art. II.)

(b) Compensation payable to citizens of either country in the other for specified exceptional military requisitions. (Art. III.)

(c) Excise or consumption duties levied in either country on imported products of the other. These must not be higher than on similar articles of national production. (Art. VIII.)

(d) Protection in all matters concerning property in trade or industrial marks, designs, or models. (Art. X.)

III. Other provisions.

(a) Right of subjects of either country to free exercise of their religion in the other, in accordance with laws of the country. (Art. I.)

(b) Subjects of either country may dispose of, or succeed to, property in the other by will or otherwise in any manner, and may withdraw all their capital from the country. (Art. II.)

(c) Subjects of either country are exempt in the other from seizure or retention with their ships, carriages, and commercial effects of any kind for any military expedition or any public service without indemnity previously allowed to parties in interest. (Art. III.)

(d) Drawbacks allowed in either country on exportation of its products must not exceed the consumption or excise duties upon said products or materials employed in their manufacture. (Art. VII.)

(e) Surtaxes levied by Spain on products of third countries imported from Sweden by land or sea shall not be higher than on similar merchandise imported from any other European country otherwise than direct in Spanish vessels, Sweden reserving the right to impose equivalent surtaxes on non-Spanish products imported from Spain. (Art. IX.)

(f) Detailed provisions concerning deposit of trade and industrial marks, designs, and models. (Art. XI.)

(g) Refund of duties paid in either country on commercial travelers' samples from the other on compliance with customs regulations relating thereto. (Art. XII.)

IV. Exceptions.

(a) The stipulations of this convention do not apply to arms and munitions of war, which remain subject to laws and regulations of each country. (Art. V.)

(b) The most-favored-nation provisions of Article VI (noted above under I b) do not apply to:

(1) Special concessions to bordering States to facilitate frontier traffic.

(2) Obligations imposed on either nation by a customs union with a neighboring State. (Art. VI.)

(c) The most-favored-nation provisions of Articles IV and V (noted above under I a) do not apply to:

(1) Favors which Spain may accord to Portugal or to Spanish American Republics. (Art. XIV.)

(2) Favors which Sweden may accord to Norway or Denmark. (Ibid.)

V. Territorial application.—This convention applies on the part of Spain also to its adjacent islands. (Arts. IV, XII.)

Treaty with Switzerland.

No. 455.

Treaty of commerce between Spain and Switzerland.

SIGNED 1 Sept., 1906, at Berne. Ratifications exchanged 19 Nov., 1906, at Madrid. Effective from 20 Nov., 1906, until 31 Dec., 1917, and thereafter until terminated by one year's notice from either party.^a (Art. VIII.)

TEXT: French, B. F. S. P. 101: 610-15; Martens 86: 496-501.

I. Most-favored-nation treatment is reciprocally and unconditionally pledged in general terms (subject to exceptions noted below) respecting all rights, privileges, and favors which either party may concede to any third power in matters concerning importation, exportation, and transit, with special reference to the amount, guaranty, and collection of duties, customs warehouses, internal taxes, formalities, customs clearances, and excise or consumption duties, whether levied by the State or by Provinces, cantons, or communes. (Arts. I, II.)

II. National or most-favored-nation treatment (optional) is pledged to commercial travelers from Spain with regard to licenses in Switzerland. (Art. VII.)

III. National treatment is reciprocally pledged regarding internal taxes on production or consumption, whether levied in either country by the State or by Cantons, Provinces, communes, or corporations. Such taxes must not under any pretext bear more heavily on imported products of the other country than on similar articles of native production (Art. V), except as noted below under V b.

^a Terminated. See Appendix.

IV. Other provisions.

(a) Duties payable on products of either country enumerated in tariffs A and B annexed to this treaty must not be higher than those stipulated in said tariffs. Both parties reserve the right to make import and export duties payable in gold, but most-favored-nation treatment is reciprocally pledged in this respect. (Art. II.)

(b) Certificates of origin may be required by either country in the form prescribed. The charge for delivery or visé of these must not exceed 2 francs each. (Art. IV and Annex C.)

(c) Both countries reserve the right to impose a duty on alcoholic products equivalent to the internal fiscal charges levied on the alcohol employed in their manufacture. (Art. VI.)

(d) Manufacturers, merchants, and commercial travelers from Switzerland (duly licensed in the form prescribed) may make purchases or book orders in Spain, with or without samples, but without peddling merchandise. Travelers' samples are reciprocally admitted free of duty, subject to customs regulations relating thereto. (Art. VII and Annex D.)

V. Exceptions.

(a) The provisions of Articles I and II (noted above under I and IV a) do not apply to favors which Spain may accord to Portugal or Morocco. (Art. III.)

(b) Supplementary import duties may be levied on products monopolized by the State and articles serving for their manufacture, even though similar indigenous products are not subject to this tax. (Art. VI.)

Treaty with Turkey.

No. 456.

Treaty of peace and commerce between Spain and Turkey.

SIGNED 14 Sept., 1782, at Constantinople. No time limit stated.

TEXT: French, B. F. S. P. 100:786-91; Spanish and German, Martens 3:402-25.

I. Most-favored-nation treatment (described in this treaty as treatment accorded to other "friendly nations") is reciprocally pledged with regard to:

(a) Right of subjects of either country to exercise commerce in all present and future territories of the other in the same manner and with the same liberty conceded to other powers. (Art. I.)

(b) Customs, port, and other dues payable in either country by subjects and ships of the other. (Art. II.)

(c) All privileges accorded to diplomatic and consular officers in either country. (Art. III.)

(*d*) Treatment of Spanish subjects regarding exercise of their religion in Turkey, and pilgrimage to Jerusalem and other places. (Art. IV.)

(*e*) Reception and treatment of Turkish vessels in Spain. (Art. X.)

(*f*) Treatment of Spanish subjects in Turkey engaging in contraband trade. (Art. XV.)

(*g*) Treatment of Spanish vessels in Turkish waters, with special reference to the Dardanelles. (Arts. XV and XVII.)

(*h*) Right of diplomatic and consular agents of Spain to levy consular dues on dutiable merchandise imported into Turkey under the Spanish flag. (Art. XIX.)

(*i*) Right of Spanish merchants in Turkey to employ the same money in buying or selling as subjects of other friendly powers. (Art. XX.)

(*j*) Treatment of Spanish subjects in Turkey, in all respects (Art. XXI), the same privileges being reciprocally assured to Turkish subjects in Spain. (Art. VII.)

II. Other provisions.

(*a*) Statement of procedure for disposal of property left in either country by deceased subjects of the other. (Art. IV.)

(*b*) Jurisdiction of Spanish consuls in Turkey in civil and criminal cases. (Arts. V, VI.)

(*c*) Assistance to vessels of either country wrecked in ports or on coasts of the other; salvaged vessels and cargoes to be placed in charge of the nearest consul. (Art. VIII.)

(*d*) Spanish subjects in Turkey can not escape payment of their debts by turning Moslem; in such event any merchandise in their possession belonging to third parties must be placed in charge of the consul for restitution to owners. (Art. XII.)

(*e*) Vessels of either country are forbidden to sail under enemy flags under penalty of hanging the commander, confiscating vessel and cargo, and making slaves of the crew. (Art. XVIII.)

(*f*) Right of Spanish vessels to export from Turkey all kinds of merchandise except gunpowder, arms, and other prohibited articles. (Art. XIX.)

(*g*) Detailed provisions relating to appointment of consuls (Art. III); shipwrecks (Art. VIII); warships (Arts. XI and XVIII); corsairs (Art. XIII); exchange or redemption of slaves (Art. XIV); and treatment of vessels of either country in waters of the other (Arts. IX, XVI, XVII).

Treaties with the United States of America.

Treaties of Spain with the United States have been previously dealt with in this volume under America, United States of, No. 46.

Treaty with Uruguay.**No. 457.***Treaty of peace and friendship between Spain and Uruguay.*

SIGNED 19 July, 1870, at Montevideo. Ratifications exchanged there 9 Oct., 1882. No time limit stated.

TEXT: English (transl.), B. F. S. P. 68: 458-63.

I. Most-favored-nation treatment is reciprocally but conditionally pledged in general terms to subjects of either country in the other respecting any exemption, favor, or privilege in trade, customs, or navigation which either party may grant to any other nation. (Art. X.)

Most-favored-nation treatment is further reciprocally pledged with regard to:

(a) Exercise of trades and professions in either country, and right to own, buy, and sell all kinds of goods or property, real and personal, and dispose of or succeed to the same by will or otherwise in any lawful manner. (Art. VIII.)

(b) Contributions payable by subjects of either country in the other on account of their industry, trade, or property. (Art. IX.)

(c) Payment of import, export, and octroi duties in either country. (Art. X.)

(d) All prerogatives established by international law which either country may accord to diplomatic agents, and all honors and prerogatives granted to consular officers as representatives, and for the care of their archives. (Art. XI.)

II. Other provisions.

(a) Detailed and extensive provisions concerning recognition of Uruguay's sovereignty by Spain (Art. I); granting of pardons (Art. II); settlement of claims and debts (Arts. III-VI); and determination of nationality (Art. VII).

(b) Subjects of either country are exempt in the other from any embargo, and their vessels and crews, carriages, or other property can not be detained for expeditions or any public service without indemnities previously arranged with the parties in interest. (Art. VIII.)

(c) Subjects of either country are exempt in the other from compulsory service by land or sea, and from all extraordinary contributions or forced loans. (Art. IX.)

(d) Detailed provisions concerning rights and powers of consular agents. (Art. XI.)

Treaty with Venezuela.

No. 458.

Treaty of commerce and navigation between Spain and Venezuela.

SIGNED 20 May, 1882, at Caracas. Effective from 19 Sept., 1882, for five years, and thereafter until terminated by 12 months' notice from either party. (Art. XIII.)

TEXT: Spanish, Venezuela Tr. Pub., 1910: 207-11; English (transl.), B. F. S. P. 73: 592-6.

I. Most-favored-nation treatment is reciprocally pledged with regard to:

(a) Treatment of any articles imported direct from Venezuela into Spain or its adjacent islands under the Venezuelan flag, or imported into Venezuela under the Spanish flag. (Art. IV.)

(b) Duties payable on products of either country which may be legally imported into the other, with special reference to duties payable in Venezuela on Spanish wines of any kind, or payable in Spain and adjacent islands on Venezuelan cocoa. (Art. VI.)

(c) Privileges, exemptions, immunities, and attributes of consular officers in either country. (Art. VIII.)

(d) Privileges, rights, consideration, and exemptions to be accorded Venezuelan citizens in Spanish colonies possessing their own special legislation. (Art. XI.)

(e) Duties, charges, or formalities imposed on Venezuelan products and merchandise in Spanish colonies. Products and merchandise of Spanish colonial possessions to receive in Venezuela the same treatment as those from colonial possessions of any other nation. (Art. XI.)

II. National treatment is reciprocally pledged with regard to:

(a) Possession and disposal of property of every description. (Art. I.)

(b) All rights regarding exercise of commerce and industry, and all taxes, loans, or contributions relating thereto. (Art. I.)

(c) Treatment of vessels of either country in ports of the other in all matters concerning harbor and navigation dues. (Art. III.)

(d) Application of local police laws and regulations of either country to subjects of the other with respect to harbor police, loading and discharging of vessels, and safety of merchandise, goods, and effects. (Art. III.)

(e) All matters relating to ownership of trade and industrial marks, labels, or models. (Art. VII.)

(f) Payment of charges or costs incurred by vessels of either country seeking refuge from damage or shipwreck in waters of the other. (Art. X.)

III. Other provisions.

(a) Citizens of either country are exempt in the other from all municipal offices or employment, from all kinds of personal military service by land or sea, and from military requisitions and extraordinary war contributions or forced loans, except when levied upon real property or upon trades, professions, or industries subject to payment of industrial or commercial contributions. (Art. I.)

(b) Nationality of vessels under flag of either country to be reciprocally recognized if carrying ships' papers required by its laws. (Art. II.)

(c) Vessels of either country entering ports of the other shall be subject to the respective fiscal legislation. (Art. V.)

(d) Detailed provisions concerning recovery of seamen deserters (Art. IX), treatment of damaged or shipwrecked vessels and of salvaged cargoes (Art. X), and arbitration of differences between the two countries (Art. XIV).

IV. Exceptions.—The provisions of this treaty do not apply to:

(a) The coasting trade of either country, which is reserved exclusively for the national flag. (Art. V.)

(b) The Spanish colonies possessing their own special legislation (Art. XI), except as noted above under I *d*.

V. Territorial application.—This treaty applies on the part of Spain also to its adjacent islands. (Arts. III, IV.)

SWEDEN.

Treaties with Argentina to Spain.

Treaties of Sweden with the following countries have been previously dealt with in this volume under:

Argentina, No. 62.	Liberia, No. 387.
Austria-Hungary, No. 88.	Mexico, No. 392.
Belgium, No. 120.	Netherlands, No. 408.
Bulgaria, No. 219.	Norway, Nos. 413 and 414.
China, No. 242.	Persia, No. 421.
Denmark, No. 275.	Portugal, No. 429.
France, Nos. 309 and 310.	Rumania, No. 435.
Great Britain (under British Empire), Nos. 195 and 196.	Russia, Nos. 440 and 441.
Greece, No. 348.	Serb-Croat-Slovene State, No. 449.
Italy, No. 371.	Siam, No. 453.
Japan, Nos. 384 and 385.	Spain, No. 454.

SWITZERLAND.

Treaties with America, United States of, to Spain.

Treaties of Switzerland with the following countries have been previously dealt with in this volume under:

America, United States of, No. 47.	Hungary, No. 89.
Austria-Hungary, No. 89.	Italy, No. 372.
Belgium, No. 121.	Japan, No. 386.
Bulgaria, No. 220.	Montenegro, No. 397.
Chile, No. 226.	Netherlands, No. 409.
China, Nos. 243 and 244.	Norway, No. 415.
Colombia, No. 253.	Persia, No. 422.
Czechoslovakia, No. 89.	Portugal, No. 430.
Denmark, No. 276.	Rumania, No. 436.
Ecuador, No. 283.	Russia, No. 442.
France, No. 311.	Salvador, No. 445.
Germany, Nos. 335 and 336.	Serb-Croat-Slovene State, No.
Great Britain (under British Em- pire), No. 197.	450.
Greece, No. 349.	Spain, No. 455.

TONGA.

Treaties with British Empire.

Treaties of Tonga with Great Britain have been previously dealt with in this volume under British Empire, No. 198.

TRIPOLI.

Treaties with America, United States of.

Treaties of Tripoli with the United States have been previously dealt with in this volume under America, United States of, No. 48.

TURKEY.²⁰⁰

Treaties with America, United States of, to Spain.

Treaties of Turkey with the following countries have been previously dealt with in this volume under:

America, United States of, No. 49.	Netherlands, No. 410.
Belgium, No. 122.	Norway, No. 416.
Brazil, No. 140.	Russia, No. 443.
France, No. 312.	Serb-Croat-Slovene State, No.
Great Britain (under British Empire), No. 199.	451.
Montenegro, No. 393.	Spain, No. 456.

UNITED STATES OF AMERICA.

Treaties with Argentina to Venezuela.

Treaties of the United States have been previously dealt with in this volume under America, United States of.

URUGUAY.

Treaties with America, United States of, to Spain.

Treaties of Uruguay with the following countries have been previously dealt with in this volume under:

America, United States of, No. 50.	Germany, No. 314.
Brazil, No. 141.	Paraguay, No. 418.
	Spain, No. 457.

²⁰⁰ Treaties of Turkey with the Allied and Associated Powers have been included in this volume to show the character and extent of Turkey's commercial treaty relations before the World War.

VENEZUELA.

Treaties with America, United States of, to Spain.

Treaties of Venezuela with the following countries have been previously dealt with in this volume under :

America, United States of, No. 51.	Great Britain (under British
Belgium, No. 123.	Empire), No. 200.
France, No. 313.	Italy, No. 373.
Germany, No. 337.	Salvador, No. 446.
	Spain, No. 458.

WEST INDIES.²⁰¹

Treaties with Canada.

Treaties of the West Indies with Canada have been previously dealt with in this volume under British Empire.

ZANZIBAR.

Treaties with Austria-Hungary to Portugal.

Treaties of Zanzibar with the following countries have been previously dealt with in this volume under :

Austria-Hungary, No. 90.	Portugal, No. 209.
France, No. 296. ²⁰²	

²⁰¹ See also p. 290, note 40.

²⁰² Concluded with Muscat.

DIGESTS OF MULTILATERAL CONVENTIONS.

No. 459.

Treaty for redemption of the toll dues on the Sound and Belts.

SIGNED 14 Mar., 1857, at Copenhagen. Ratifications exchanged there 31 Mar., 1857. Duration indefinite. (Art. III.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Germany (Art. 282), and Hungary (Art. 217).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Belgium, France, Germany, Great Britain, Hungary, Netherlands, Norway, Russia, and Sweden.

TEXT: French, B. F. S. P. 47:24-32; Clercq, 7:259-67.

(a) Denmark undertakes and agrees:

(1) Not to levy any customs or other duties, dues, or charges of any kind on vessels of the contracting States or their cargoes for passing through the Belts or the Sound from the North Sea to the Baltic or vice versa; not to detain or hinder the passage of such vessels under any pretext; nor to reestablish these abolished taxes indirectly by increasing port dues or customs duties, or by any navigation or customs dues, or in any other manner whatever. (Art. I.)

(2) To maintain in the best condition all the lights, signals, buoys, etc.; to facilitate navigation in the Cattegat, the Sound, and the Belts free of any charge whatever against foreign shipping. (Art. II.)

(3) To insure that pilotage service in these waters shall be always optional, and that dues for pilotage shall be moderate and the same for Danish as for foreign vessels. (Art. II.)

(4) To reduce transit charges to a uniform basis of perfect equality on all waters or canals connecting the North Sea and the Baltic or its tributaries. (Art. II.)

(b) By way of indemnity or compensation for the sacrifices imposed by the foregoing stipulations, the contracting parties undertake to pay Denmark stated amounts totaling 30,476.325 rigsdalers (Art. IV), payable within 20 years by forty semiannual installments (Art. V), details of these payments to be arranged for each country by separate conventions with Denmark (Art. VI).

No. 460.

Convention for redemption of the stade toll on the Elbe.

SIGNED 22 June, 1861, at Hanover. Ratifications exchanged there 30 June, 1861. Duration indefinite. (Art. III.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Germany (Art. 282), and Hungary (Art. 217).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Belgium, Brazil, Denmark, France, Germany, Great Britain, Hungary, Netherlands, Norway, Portugal, Russia, Spain, and Sweden.

TEXT: French, B. F. S. P. 51:27-33; English, Hertslet Map Eur. 2:1471-80.

(a) The King of Hanover engages to abolish completely and forever the stade toll on the Elbe, and never to substitute therefor any

new tax, of whatever kind, on vessels of the contracting parties or their cargoes. (Art. I.)

(b) By way of indemnity or compensation for the sacrifices imposed by the foregoing stipulation, the contracting parties undertake to pay Hanover in stated proportions the total sum of 2,857,338½ German thalers. (Arts. IV, V.)

No. 461.

Convention for redemption of the toll dues on the Scheldt.

SIGNED 16 July, 1863, at Brussels. Ratifications exchanged there 3 Aug., 1863. Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Germany (Art. 282), Hungary (Art. 217), and Turkey¹ (Art. 269).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Brazil, Chile, Denmark, France, Germany, Great Britain, Italy, Norway, Peru, Portugal, Russia, Spain, Sweden, and Turkey.

TEXT: French, B. F. S. P. 53: 8-17; English, Hertslet Map Eur. 2: 1550-6.

(a) In consideration of 17,141,640 florins to be paid in stated proportions by the contracting parties, which sum Belgium undertakes to pay over to the Netherlands in accordance with the treaty of 19 April, 1839 (Art. IV), the toll dues for navigation on the Scheldt are abolished forever, never to be reestablished under any form, this abolition to apply to the flags of all nations. (Arts. I, II.)

(b) Belgium undertakes to suppress forever the tonnage dues levied in Belgian ports, and to reduce permanently the pilotage dues and local taxes imposed by the city of Antwerp on vessels belonging to the contracting States, reserving a free hand, however, to regulate fiscal and customs treatment of vessels belonging to countries not parties to this convention. (Arts. III and VII.)

No. 462.

Convention respecting creation of an international office of weights and measures.

SIGNED 20 May, 1875, at Paris. Effective from 1 Jan., 1876, for 12 years, and thereafter indefinitely; but any State may withdraw on 12 months' notice. (Arts. 13, 14.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 162), Germany (Art. 282), and Hungary (Art. 217).

CONTRACTING STATES. The following countries are parties to this convention: United States, Argentina, Austria, Belgium, Bulgaria, Denmark, Finland, France, Germany, Great Britain, Hungary, Italy, Japan, Norway, Peru, Portugal, Rumania, Russia, Serbia, Siam, Spain, Sweden, Switzerland, Turkey, and Venezuela. Other States may accede on request. (Art. 11.)

TEXT: French, B. F. S. P. 66: 562-72, 674-6; Martens 51: 663-72; English (transl.). United States Tr. II: 1924-35.

(a) With the object of promoting international uniformity and precision in standards of weights and measures, a permanent international bureau is established at Paris (Art. 1), under the exclusive direction and supervision of an international committee of weights and measures, controlled by a general conference for weights and

¹ Not yet ratified.

measures, to be composed of delegates of all the contracting Governments (Art. 3).

(b) The International Bureau of Weights and Measures is charged with the following duties:

(1) All comparisons and verifications of the new prototypes of the meter and kilogram.

(2) The custody of the international prototypes.

(3) The periodical comparison of the national standards with the international prototypes and with their test copies, as well as comparisons of the standard thermometers.

(4) The comparison of the prototypes with the fundamental standards of nonmetrical weights and measures used in different countries for scientific purposes.

(5) The sealing and comparison of geodetic measuring bars.

(6) The comparison of standards and scales of precision, the verification of which may be requested by Governments or by scientific societies, or even by constructors or men of science. (Art. VI.)

(c) The entire cost of the international bureau and of its equipment is defrayed by contributions from contracting States, in proportion to the population of each. (Arts. 9, 10.)

(d) Detailed and extensive provisions and regulations concerning organization and expense of the bureau, and regarding formation and powers of the international committee and of the general conference for weights and measures. (Arts. 5 and 7; also Appendices Nos. 1 and 2.)

No. 463.

International telegraph convention and service regulations annexed thereto.

SIGNED 22 July, 1875, at St. Petersburg. Duration indefinite, but any State may withdraw on 12 months' notice. (Art. XX.) The very extensive service regulations and tariffs annexed to this convention have been revised from time to time, the latest general revision being signed at Lisbon 11 June, 1908.² The convention of 1875, and the service regulations and tariffs of 1908 were confirmed by the treaties of peace of 1919-20 with Austria (Art. 235), Bulgaria (Art. 163), Czechoslovakia (Art. 20), Germany (Art. 233), Hungary (Arts. 218 and 310), Poland (Art. 19), and Turkey³ (Art. 270).

CONTRACTING STATES: The telegraphic union comprises all important countries of the world, except the United States, China, Mexico, Peru, and Canada. Nonsignatory States may adhere to this convention on request. (Art. XVIII.)

TEXT: (1) Convention of 22 July, 1875, with service regulations annexed—French, B. F. S. P. 66: 19-87; Martens 53: 614-88.

(2) Service regulations, revised at Lisbon 11 June, 1908—French, B. F. S. P. 102: 214-340; Martens 90: 208-85.

The International Telegraphic Bureau is located at Berne, and is under the supervision of the Swiss Government, its expenses being

² Earlier revisions of the service regulations were made on the following dates: 28 July, 1879, 17 Sept., 1885, 21 June, 1890, 22 July, 1896, and 10 July, 1903. For texts (French) of these (cited in the order named), see B. F. S. P. 70: 62-133; 76: 597-667; 82: 869-952; 88: 1120-1217; 97: 736-866; also Martens, 90: 208, note.

³ Not yet ratified.

shared by the contracting States. (Art. XIV.) As in case of the postal union, the member States are free to conclude among themselves special agreements, or to form more restricted unions not inconsistent with the general convention, as their special situation or interests may require. (Art. XVII.)

(a) The contracting States decline to assume any responsibility on account of international telegraphic service (Art. III), but undertake to:

(1) Employ all means necessary to insure secrecy of telegraphic correspondence. (Art. II.)

(2) Provide special wires for rapid transmission of international telegrams. (Art. IV.)

(b) Telegrams are classified in three classes, as follows:

(1) Telegrams of State (as defined), which enjoy priority of transmission, and may in all cases be sent in secret language. (Arts. V, VI.)

(2) Service telegrams, sent by telegraphic administrations of the contracting States. These go free of charge throughout the territories of the contracting countries and may also be sent in cipher, but do not enjoy priority of transmission. (Arts. V, VI, XI.)

(3) Private telegrams, which may be exchanged in cipher only between States permitting this mode of correspondence, but may pass in transit through any contracting State, subject to reserved rights noted below under c 2. (Arts. V, VI.)

(c) The contracting States reserve the right to:

(1) Stop transmission of any private telegram considered dangerous to the security of the State or contrary to the laws of the country or to public order and sound morals. (Art. VII.)

(2) Suspend international telegraphic service for indefinite periods if deemed necessary; either generally or over certain lines and for certain kinds of correspondence. (Art. VIII.)

(d) Provision is made for periodic administrative conferences to revise the rates and service regulations from time to time. (Art. XV.) But decisions of these conferences are binding only when approved by all the Governments of the contracting States. (Art. XVI.)

(e) Very extensive tariffs and service regulations are annexed, which have the same force as the convention itself. (Art. XV.)

No. 464.

Convention regarding precautionary measures against phylloxera.

SIGNED 3 Nov., 1881, at Berne. Ratifications exchanged there 29 Apr., 1882. Effective from 14 May, 1882, for indefinite term, but any State may withdraw

on previous notice at any time. (Art. 13.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 167), Germany (Art. 282), Hungary (Art. 217), and Turkey⁴ (Art. 273).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Belgium, France, Germany, Hungary, Italy, Luxemburg, Netherlands, Portugal, Serbia, Spain, and Switzerland. Other States may adhere to this convention at any time. (Art. 13.)

TEXT: French, Martens 58:435-40; 65:570-1; B. F. S. P. 73:323-9; 81:1311-12.

(a) Measures to be taken by the different contracting States against introduction or spread of phylloxera are specified in detail. (Arts. 1-9.)

(b) A country which is not party to this convention must not be treated more favorably than a contracting State. (Art. 10.)

(c) This convention is subject to revision in manner stated, as experience or progress of science may suggest. (Art. 11.)

No. 465.

Convention regulating police of North Sea fisheries outside territorial waters.

SIGNED 6 May, 1882, at The Hague. Ratifications deposited 15 Mar., 1884. Duration indefinite; but any State may withdraw on 12 months' notice. (Art. 39.) Article 8 was modified by declaration signed 1 Feb., 1889,⁵ as regards marking of sails of fishing boats. Confirmed by the treaty of peace of 28 June, 1919, with Germany (Art. 285); except that all rights of inspection and police in the case of fishing boats of the Allied Powers shall be exercised solely by ships belonging to those powers (Art. 272).

CONTRACTING STATES. The following countries are parties to this convention: Belgium, Denmark, France, Germany, Great Britain, and Netherlands.

TEXT: French, F. F. S. P. 73:39-48; Martens 59:556-63.

(a) The exclusive right of fishing within limits of territorial waters (as defined) is reserved to the nationals of each country. (Arts. 2, 3.)

(b) Limits of the North Sea defined for the purpose of applying dispositions of this convention. (Art. 4.)

(c) Detailed regulations regarding registration, naming, numbering, and marking of fishing boats and their sails. (Arts. 5-12 and decl. of 1889.⁵)

(d) Detailed provisions relating to casting of nets and supervision or police of the fishing grounds, including rules to be observed and penalties and remedies for their infraction. (Arts. 13-37.)

No. 466.

Convention for protection of submarine cables.

SIGNED 14 Mar., 1884, at Paris. Ratifications exchanged there 16 Apr., 1885. Duration indefinite, but any State may withdraw on 12 months' notice. (Art. XVI.) Confirmed by the treaties of peace of 1919-20 with Germany (Art. 282), Austria (Art. 234), Bulgaria (Art. 167), Hungary (Art. 217), and Turkey⁴ (Art. 269).

⁴ Not yet ratified.

⁵ French, B. F. S. P. 81:9-11.

CONTRACTING STATES. The following countries are parties to this convention: United States, Argentina, Australia, Austria, Canada, Belgium, Brazil, Costa Rica, Denmark, Dominican Republic, France, Germany, Great Britain (and colonies), Greece, Guatemala, Italy, Japan, Netherlands, New Zealand, Norway, Portugal, Rumania, Russia, Salvador, Serbia, South Africa, Spain, Sweden, Turkey, and Uruguay. Other countries may adhere on request. (Art. XIV.)

TEXT: (1) Convention of 14 Mar., 1884—French, Martens 61:281-90; B. F. S. P. 75:356-66. English (transl.), United States Tr. II:1949-59; Hertslet 17:495-503.

(2) Declarations of 1 Dec., 1886, and 23 Mar., 1887, and protocol of 7 July, 1887—French, Martens 65:69-71; B. F. S. P. 77:1140-41; 78:13-14.

(a) This convention applies, outside territorial waters, to all legally established submarine cables landed in the territories, colonies, or possessions of any of the contracting States. (Art. 1.)

(b) Breaking or damaging submarine cables willfully or negligently (as defined by declaration of 1886) is made a punishable offense. (Arts. II and IV.)

(c) Rules and precautions to be observed to prevent collision or interference with vessels engaged in laying or repairing cables. (Arts. V, VI.)

(d) Shipowners and others who have sacrificed anchors, fishing nets, or other property to avoid injuring submarine cables are entitled to indemnity from owner of the cable, in the manner stated. (Art. VII.)

(e) Jurisdiction of courts for infractions of this convention, and procedure relating thereto. (Arts. VIII-XI.)

(f) The contracting States undertake to propose to their respective legislatures the measures necessary to secure execution of this convention, and to communicate to each other their respective laws relating to the objects thereof. (Arts. XII, XIII.)

(g) Stipulations of this convention shall in no wise affect the liberty of action of belligerents. (Art. XV.)

No. 467.

Resolutions regarding establishment of a standard international concert pitch.

SIGNED at the international conference held at Vienna 19 Nov., 1885. Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Germany (Art. 282), and Hungary (Art. 217).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Germany, Hungary, Italy, Russia, and Sweden.

TEXT: Italian (transl. from German original), Italy, Tr. 10:727-30.

This conference, after defining the proposed standard international concert pitch and specifying the means and conditions of its production, recommends a series of measures to be taken by the Governments concerned to make its resolutions effective. As soon as practicable, the proposed standard pitch is to be made obligatory for all public or private institutions where music is cultivated; also for

musical societies, theaters, military bands, etc.; and so far as possible for organs in churches. (Arts. II, III.) Moreover, all institutions, etc., for which the standard pitch is made obligatory are to be charged with the duty of maintaining the standard invariable within their respective spheres of action. The means and instruments for accomplishing this are specified in detail. (Art. IV and addl. resolutions.)

No. 468.

Agreement regarding technical standardization of railways.

SIGNED 15 May, 1886, at Berne. Revised by final protocol of 18 May, 1907. Duration indefinite, but any State may withdraw on six months' notice. (Art. IX.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 162), Czechoslovakia (Art. 20), Germany (Art. 282), Poland (Art. 19), and Turkey⁶ (Art. 273).

CONTRACTING STATES. The following countries are parties to this Agreement: Austria, Belgium, Bulgaria, Denmark, France, Germany, Greece, Hungary, Italy, Luxemburg, Netherlands, Norway, Poland, Rumania, Russia (for certain lines only), Serbia, Sweden, and Switzerland.

TEXT: (1) Agreement of 15 May, 1886—French, Italy Tr. 11: 20-34.

(2) Revision of 18 May, 1907—French text and German transl., Martens 87: 888-912.

This agreement consists of detailed technical specifications regarding width of gage, construction of rolling stock, etc., and is subject to revision from time to time. (Art. 3.)

No. 469.

Agreement regarding sealing of railway trucks subject to customs inspection.

SIGNED 15 May, 1886, at Berne. Duration indefinite, but any State may withdraw on six months' notice. (Art. 4.) Revised by the final protocol of 18 May, 1907. Confirmed by the Treaties of Peace of 1919-20 with Germany (Art. 282), Austria (Art. 234), Bulgaria (Art. 162), Czechoslovakia (Art. 20), Poland (Art. 19), and Turkey⁶ (Art. 273).

CONTRACTING STATES. The following countries are parties to this agreement: Austria, Belgium, Bulgaria, Denmark, France, Germany, Greece, Hungary, Italy, Luxemburg, Netherlands, Norway, Poland, Rumania, Serbia, Sweden, and Switzerland.

TEXT: (1) Agreement of 15 May, 1886—French, Italy Tr. 11: 20-34; Martens 72: 42-51.

(2) Final protocol of 18 May, 1907—French text and German transl., Martens 87: 878-88.

This convention deals with the mode of construction of railway trucks and specifies in detail the means of securely sealing the same. (Arts. 1, 2.)

No. 470.

Convention regarding liquor traffic in the North Sea.

SIGNED 16 Nov., 1887, at The Hague. Ratifications deposited there 11 Apr., 1894. Effective from 25 May, 1894, for indefinite term: but any State may withdraw on three months' notice. (Art. 11, as modified by protocol of 14 Feb.,

⁶ Not yet ratified.

1893.⁷ Confirmed by the treaty of peace of 28 June, 1919, with Germany (Art. 285), on condition that all rights of inspection and police in the case of fishing boats of the allied powers shall be exercised solely by ships belonging to those powers (Art. 272).

CONTRACTING STATES. The following countries are parties to this convention: Belgium, Denmark, Germany, Great Britain, and Netherlands.

TEXT: French text and German transl., Martens 69: 414-23; French, B. F. S. P. 79: 894-9; 78: 1206.

(a) Prohibition of sale, purchase, or exchange of spirituous liquors (as defined), to or by any person on board a fishing boat, or belonging thereto. (Art. 2.)

(b) The provisioning of fishing boats with articles other than liquors is made subject to license from the State to which the boat belongs. (Art. 3.)

(c) Stipulations regarding legislative measures to be enacted by the contracting States to insure execution of this convention. (Art. 4.)

(d) Provisions regarding supervision by cruisers charged with policing the fisheries; also punishments and procedure in case of infraction. (Arts. 5-9.)

No. 471.

Convention respecting free navigation of the Suez Canal.

SIGNED 29 Oct., 1888, at Constantinople. Ratifications deposited there 22 Dec., 1888. Duration indefinite. (Art. XIV.) Confirmed and modified by the treaties of peace of 1919-20 with Austria (Art. 234), Germany (Art. 282), Hungary (Art. 217), and Turkey⁸ (Arts. 101, 109, 269).

CONTRACTING STATES. The following countries are parties to this convention: Austria, France, Germany, Great Britain, Hungary, Italy, Netherlands, Russia, Spain, and Turkey.⁸

TEXT: French text and German transl., Martens 65: 557-66; French, B. F. S. P. 79: 18-22; Hdb. 1912: 389-94; English (transl.), A. J. I. L. Supp. 3: 123-7.

(a) The Suez Canal to be free and open in time of war as in time of peace to the merchant ships and warships of all countries. (Art. 1.)

(b) No act of hostility to be committed in the Canal or within 3 miles of its ports, or any act to obstruct its free navigation. (Art. IV.)

(c) Detailed provisions relating to vessels of war, designed to insure freedom of navigation through the Canal at all times, in peace and war. (Arts. IV-VII.)

(d) None of the contracting States shall endeavor to obtain territorial or commercial advantages with respect to the Canal. (Art. XII.) But the sovereign rights of the Sultan⁸ and rights and immunities of the Khedive shall not be prejudiced by this convention. (Arts. XII, XIII.)

⁷ French, B. F. S. P. 79: 894-5.

⁸ In the treaty of peace of 10 Aug., 1920 (not yet ratified), Turkey is required to renounce all rights and title in or over Egypt, as from 5 Nov., 1914, and to recognize the protectorate proclaimed over Egypt by Great Britain on 18 Dec., 1914 (Art. 101); also to renounce in favor of Great Britain the powers conferred upon the Sultan by this convention relating to the Suez Canal (Art. 109).

No. 472.

International convention for the publication of customs tariffs.

SIGNED 5 July, 1890, at Brussels. Effective from 1 Apr., 1891, for successive periods of seven years, subject to revision at any time by mutual agreement. Parties may withdraw at the expiration of any seven-year period by giving 12 months' previous notice to the Belgian Government. (Art. XV.) Confirmed by the treaties of peace of 1919-20 with Germany (Art. 282), Austria (Art. 234), Bulgaria (Art. 162), Hungary (Art. 217), and Turkey⁹ (Art. 269).

CONTRACTING STATES. The following countries are parties to this convention: United States, Argentina, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Denmark (and colonies), Dominican Republic, Ecuador, Egypt, Finland, France (and colonies), Germany, Great Britain (and sundry colonies), Greece, Guatemala, Haiti, Honduras, India, Italy (and colonies), Japan, Mexico, Netherlands (and colonies), New Zealand, Nicaragua, Norway, Panama, Paraguay, Persia, Peru, Poland, Portugal (and colonies), Rumania, Russia, Salvador, Serbia, Siam, South Africa, Spain (and colonies), Sweden, Switzerland, Turkey, Uruguay, and Venezuela. Other countries may accede to this convention on request. (Art. 14.)

TEXT: French and English, Martens 68: 558-76; French B. F. S. P., 82: 340-9; English (transl.), United States Tr. II: 1996-2005; Hertslet 18: 542-51.

(a) The object of the union established by this convention is to publish at the common expense the customs tariffs of all countries, and any modifications made in those tariffs from time to time. For this purpose an international bureau is organized at Brussels, which is required to translate and publish these tariffs (also any legislation or executive provisions modifying the same) in English, French, German, Italian, and Spanish (Reg., Art. 1), in its official organ, to be known as "The International Customs Bulletin" (Arts. 2-4). Any member State has the privilege of translating and publishing at its own expense the whole or any part of the bulletin in any language, except those adopted by the international bureau. (Reg., Art. 2.)

(b) The annual expense of the international bureau is fixed at a maximum of 125,000 francs, contributed by the contracting States in quotas determined by the amount of their commerce. (Arts. 8-11 and final decl.)

(c) To facilitate accurate editing of the bulletin the contracting States are required to send to the bureau two copies:

(1) Of their customs law and their customs tariff, carefully brought up to date.

(2) Of all provisions that shall ultimately modify said law and tariff.

(3) Of the circulars and instructions (which can be made public) addressed by the said Governments to their customhouses concerning the application of the tariff or the classification of goods.

(4) Of their treaties of commerce, international conventions, and domestic laws having a direct bearing upon the existing tariffs. (Art. 12.)

⁹ Not yet ratified.

No. 473.

Convention concerning transportation of goods by rail.

SIGNED 14 Oct., 1890, at Berne. Ratifications deposited there 30 Sept., 1892. Effective from 30 Dec., 1892, for three years, and thereafter indefinitely for further periods of three years; but parties may withdraw at close of any three-year period by notice given twelve months before. (Art. 60.) Revised by later conventions noted below, all of which are confirmed by the treaties of peace of 1919-20 with Austria (Art. 313), Bulgaria (Art. 237), Czechoslovakia (Art. 20), Germany (Art. 366), Hungary (Art. 296), Poland (Art. 19), and Turkey³⁰ (Art. 354).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, France, Germany, Hungary, Italy, Luxemburg, Netherlands, Norway, Poland, Rumania, Russia, and Switzerland. Other States may adhere on request.

TEXT: (1) Convention of 14 Oct., 1890—French and German, Martens 69: 289-366; French, B. F. S. P. 82: 771-97.

(2) Additional agreement of 16 July, 1895—French, Martens 74: 562-614; B. F. S. P. 87: 806-33.

(3) Additional convention of 16 June, 1898—French and German, Martens 80: 184-202; French, B. F. S. P. 92: 433-43.

(4) Second additional convention of 19 Sept., 1906—French and German, Martens 88: 920-82.

(a) This convention and its several revisions apply to all merchandise (except objects specified in Art. 2) consigned on through bills of lading from one of the contracting countries to another over railway lines specified. Traffic regulations annexed have the same force as the convention itself. (Art. 1.)

(b) To insure and facilitate execution of this convention, provision is made for a central office to be organized and supervised by the Swiss Government at Berne. Duties of this office are specified in detail. (Art. 57 and Arts. I-III of regulations relating thereto.)

(c) Very extensive and detailed stipulations regarding the numerous matters involved in international railway freight traffic are set out in the sixty articles of this convention, and in Articles I to XXXV annexed thereto, most of which have been amended from time to time by the later revisions noted above.

No. 474.

Convention regarding tonnage measurement of vessels for inland navigation.

SIGNED 4 Feb., 1898, at Brussels. Ratifications deposited there 30 Jan., 1899. Effective from 31 July, 1899, for indefinite period; but any State may withdraw on 12 months' notice. (Art. V.) Confirmed by the treaty of peace with Germany of 28 June, 1919. (Art. 282.)

CONTRACTING STATES. The parties to this convention are Belgium, France, Germany, and the Netherlands.

TEXT: French text and German transl., Martens 78: 733-42; French, B. F. S. P. 90: 303-7.

(a) Certificates of tonnage measurements issued to vessels of interior navigation by competent authorities of one of the contracting States in accordance with stipulations annexed to this convention

³⁰ Not yet ratified.

must be recognized as equivalent to the certificates issued by authorities of the other contracting States. (Art. I.)

(b) The contracting States undertake to communicate to each other all regulations made by any of them regarding application of the stipulations annexed to this convention. at least three months before said regulations become effective. (Art. II.)

(c) Detailed rules for measuring tonnage of vessels of interior navigation. (Annex, Arts. I-IX.)

No. 475.

Convention regarding protection of birds useful to agriculture.

SIGNED 19 Mar., 1902, at Paris. Duration indefinite, but any State may withdraw on 12 months' notice. (Art. XIV.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 167), Germany (Art. 282), Hungary (Art. 217), and Turkey¹¹ (Art. 273).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Belgium, Bulgaria, France, Germany, Greece, Hungary, Liechtenstein, Luxemburg, Monaco, Portugal, Spain, Sweden, and Switzerland.

TEXT: French text and German transl., Martens 80:690-701; French, B. F. S. P. 102:969-74.

This convention of 16 articles provides in detail for protection of birds useful to agriculture, their nests, eggs, and broods, by means of laws and other measures to be enacted and applied by the contracting States. A list of useful and of harmful birds is annexed to the convention for the guidance of the legislatures and administrations concerned. (Annex, Nos. 1 and 2.)

No. 476.

Convention for regulating the guardianship of minors.

SIGNED 12 June, 1902, at the Hague. Ratifications deposited there 1 June, 1904. Effective from 1 Aug., 1904 (Art. 12), until 1 June, 1909, and thereafter for successive periods of five years; but parties may withdraw at the close of any five-year period upon notice given six months before. (Art. 13.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Germany (Art. 282), and Hungary (Art. 217).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Belgium, France, Germany, Hungary, Luxemburg, Netherlands, Rumania, and Sweden.

TEXT: French text and German transl., Martens 81:724-33; French, B. F. S. P. 95:421-5.

(a) Guardianship of minors is regulated by the law of their home State. (Arts. 1 and 5.)

(b) In case no provision is made by the law of their home State for minors habitually residing abroad, the diplomatic or consular agent may make such provision conformably to the law of the minors' home State, subject to the consent of the State of residence. (Art. 2.)

(c) In case no provision is made for guardianship of minors in accordance with provisions noted above under (a) and (b), the

¹¹ Not yet ratified.

guardianship of minors residing abroad is governed by the law of the place of residence. (Art. 3.)

(d) Guardianship extends to the minor's person, and to all his possessions wherever located, except when landed property is placed under a special régime by the local law. (Art. 6.)

(e) In all urgent cases the local authorities may take measures necessary to protect the persons and interests of alien minors. (Art. 7.)

(f) The home State must be notified when minors are found in foreign countries in circumstances requiring appointment of guardians for them. (Art. 8.)

(g) This convention applies only to minors who belong to, and habitually reside in, one of the contracting States (Art. 9); and does not apply to their territories outside of Europe (Art. 10); except that Articles 7 and 8 (noted above under (e) and (f) apply to all minors who are nationals of the contracting States (Art. 9).

No. 477.

Convention regarding exemption of hospital ships from dues and charges in ports.

SIGNED 21 Dec., 1904, at The Hague. Duration indefinite, but any State may withdraw on 12 months' notice. (Art. 6.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 167), Germany (Art. 232), Hungary (Art. 217), and Turkey¹² (Art. 273).

CONTRACTING STATES. The following countries are parties to this convention: United States, Austria, Belgium, Bulgaria, China, Corea, Denmark, France, Germany, Greece, Hungary, Italy, Japan, Luxemburg, Mexico, Montenegro, Netherlands, Peru, Persia, Portugal, Rumania, Russia, San Marino, Siam, Spain, and Switzerland.

TEXT: French text and German transl., Martens 87:213-22; French, B. F. S. P. 98:624-30; English (transl.), United States Tr. II:2135-40.

(a) Hospital ships which fulfill the conditions stated are exempt, in time of war, from all dues and taxes imposed on vessels for the benefit of the State in the ports of the contracting parties (Art. 1); but this rule is binding only on the contracting powers in case of war between two or more of them, and ceases to be binding when one of the belligerents is joined by a noncontracting power (Art. III).

(b) Nonsignatory powers are permitted to adhere to this convention after 1 Oct., 1905. (Art. V.)

No. 478.

Convention for creation of an international agricultural institute.

SIGNED 7 June, 1905, at Rome. Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 162), Germany (Art. 282), and Hungary (Art. 217).

CONTRACTING STATES. The following countries are parties to this convention: United States, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Ecuador, Egypt, Ethiopia, France, Germany, Great Britain (and colonies specified),

¹² Not yet ratified.

Greece, Hungary, India, Italy (and colonies), Japan, Luxemburg, Mexico, Montenegro, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Persia, Peru, Portugal, Rumania, Russia, Salvador, San Marino, Serbia, Siam, South Africa, Spain, Sweden, Switzerland, Tunis, Turkey, and Uruguay.

TEXT: French text and German transl., Martens 87: 238-43; French, B. F. S. P. 100: 595-604; Hertslet 26: 257-65; English (transl.), United States Tr. II: 2140-3.

(a) A permanent International Institute of Agriculture is established at Rome (Art. 1) as a Government institution, composed of a general assembly and a permanent committee (Arts. II-VIII), in both of which each contracting State is represented (Arts. III and VII).

(b) The work of the institute is controlled by the general assembly, which considers projects prepared by the permanent committee, fixes the budget, and audits and approves the accounts. (Art. V.)

(c) The contracting States are classed in five groups, the financial contribution and number of votes of each State varying according to the group in which it chooses to be placed. (Art. X.)

(d) The institute, confining its operations within an international sphere, shall:

(1) Collect, study, and publish statistical, technical, or economic information relating to agriculture, commerce in agricultural products, and prices prevailing in the various markets; and communicate such information to the interested parties.

(2) Indicate wages paid for farm work.

(3) Make known any plant diseases which may appear in any part of the world, indicating territories infected, the progress of the disease, and remedies thought to be effective in combating the same.

(4) Study questions of agricultural cooperation, insurance and credit in all their aspects, and publish useful information relating thereto.

(5) Submit to the different Governments for their approval any measures designed to protect the common interests of farmers and to improve their condition, taking account of all sources of information, such as resolutions of agricultural congresses, agricultural societies, academies, and other bodies. (Art. IX.)

(e) All questions concerning the economic interests, the legislation and administration of a particular nation are excluded from the consideration of the institute, its functions being confined to the international sphere. (Art. IX.)

No. 479.

Convention relating to civil procedure.

SIGNED 17 July, 1905, at The Hague. Ratifications deposited there 24 Apr., 1909. Effective from 27 Apr., 1909 (Art. 28), for five years, and thereafter by tacit renewal for further periods of five years: but parties may withdraw at the close of any five-year period on six months' previous notice (Art. 29). Replaces

the convention of 14 Nov., 1896, and the additional protocol of 22 May, 1897, concerning private international law. (Art. 28.) The convention of 17 July, 1905, was renewed (except by France, Portugal, and Rumania) by the treaties of peace of 1919-20 with Austria (Art. 238), Germany (Art. 287), and Hungary (Art. 221).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Belgium, Denmark, Germany, Hungary, Italy, Luxemburg, Netherlands, Norway, Russia, Spain, Sweden, and Switzerland. Other States represented at the fourth conference on private international law may adhere at any time. (Art. 27.)

TEXT: French text and German transl., Martens 87:243-64; French B. F. S. P. 99:990-1000.

This convention contains extensive provisions concerning the following matters:

(a) Communication of judicial and extrajudicial documents among the contracting States. (Arts. 1-7.)

(b) Transmission and execution of commissions of request as between the contracting States. (Arts. 8-16.)

(c) Treatment of each other's citizens by the contracting States as regards costs of judicial procedure (Arts. 17-19), free judicial or legal aid (Arts. 20-23), and arrest or constraint of person (Art. 24).

(d) This convention does not prevent contracting States from making separate or special arrangements with each other for direct correspondence between their judicial authorities with regard to the objects of this convention. (Arts. 1 and 9.)

No. 480.

International sanitary convention (Inter-American).

SIGNED 14 Oct., 1905, at Washington. Duration indefinite.

CONTRACTING STATES. The following countries are parties to this convention: United States, Brazil, Chile, Colombia, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Peru, Salvador, and Venezuela. Other States may adhere upon request.

TEXT: English and Spanish. U. S. T. S. No. 518; English, United States Tr. II: 2144-57; B. F. S. P. 101: 478-91; Martens 2: 277-90.

This convention prescribes extensive and detailed regulations to be observed by contracting States as soon as plague, cholera, or yellow fever appear (Arts. I-IX) and measures of defense by other countries against territories declared to be infected (Arts. X-L).

No. 481.

Universal postal convention (26 May, 1906).

The first convention to establish a General Postal Union, signed at Berne 9 Oct., 1874, has been revised and extended from time to time. The conventions and agreements signed at Vienna 4 July, 1891, at Washington 15 June, 1897, and at Rome 26 May, 1906, were confirmed by the treaties of peace of 1919-20 with Austria (Art. 235), Bulgaria (Art. 163), Germany (Art. 283), and Hungary (Art. 218). Duration indefinite, but any State may withdraw on 12 months' notice. (Art. 28.) All treaties, conventions, agreements, or other acts previously concluded between the contracting countries or administrations are abrogated by the convention of 1906, so far as they do not accord with its terms, without prejudice to rights noted below under f. (Art. 29.)

CONTRACTING STATES: Virtually all the countries and colonies of the world are now members of the Postal Union. For list of member countries, see text references cited below. Any country may adhere to this convention on request. (Art. 24.)

TEXT¹³: (1) Convention of 4 July, 1891, and service regulations annexed—French text and German transl., Martens 67: 628-712; French text and English transl., B. F. S. P. 83: 513-44.

(2) Convention of 15 June, 1897 (with service regulations)—French text and English transl. United States Stat., 30: 1629-1738; French text and German transl., Martens 78: 453-555; French, B. F. S. P. 89: 65-153; English, Hertslet 21: 484-538.

(3) Convention of 26 May, 1906 (with service regulations)—French text and German transl., Martens 86: 355-472; French text and English transl., United States Stat., 35: 1639-1769; French, B. F. S. P. 99: 254-321.

(a) Member countries of the Universal Postal Union form a single postal territory for reciprocal exchange of correspondence and other specified mail matter between their post offices. (Arts. 1, 2.)

(b) Provisions concerning special agreements for convenience of mails between contiguous countries. (Art. 3.)

(c) The right of transit is guaranteed throughout the entire territory of the Union. Extensive and detailed stipulations concerning transit rates. (Art. 4.)

(d) Detailed provisions concerning rates of postage and general conditions (Art. 5); registered articles, return receipts, and requests for information (Art. 6); articles marked with trade charges (Art. 7); responsibility for registered articles (Art. 8); withdrawal of articles, correction of address, etc. (Art. 9); fixing of rates in money other than franc (Art. 10); prepayment, reply coupons, and exemptions from postage (Art. 11); postage kept by collecting country (Art. 12); special-delivery articles (Art. 13); reforwarding undelivered articles (Art. 14); mails exchanged with warships (Art. 15); prohibitions (Art. 16); relations with countries outside the Union (Art. 17); counterfeit postage stamps (Art. 18); and special arrangements for particular services (Art. 19).

(e) The postal administration of the member countries may draw up executive regulations, and make special arrangements within limits stated. (Art. 20.)

(f) This convention does not alter legislation of any country on matters not provided for by its stipulations, and does not restrict the right of contracting parties to maintain and conclude treaties or more restricted unions¹⁴ for reduction of postal rates or other improvements of postal relations. (Art. 21.)

¹³ For texts (French) of conventions of 1874 and revisions of 1878 and 1885, see B. F. S. P. 65: 13-20; 69: 210-20; and 76: 1315-26.

¹⁴ A number of more restricted unions have been formed for special purposes, such as the agreements of 26 May, 1906, for exchange of money orders; for transmission of packages of declared value, registered and insured; for collection of payments through the postal service; for postal subscriptions to newspapers; and the parcels-post convention of the same date. All these unions make use of the international bureau at Berne as their agent, and their meetings are usually held together with the congresses of the Universal Postal Union.

(g) Under the name of the International Bureau of the Universal Postal Union a central office is maintained, which is conducted under the supervision of the Swiss postal administration, and of which the expenses are borne by all the administrations of the union. Duties of this bureau are specified in detail. (Art. 22.)

(h) Postal congresses to be held regularly every five years, or oftener when requested by at least two-thirds of the member countries. In the deliberations each country has one vote only. (Art. 25.)

(i) Provisions concerning proposals made between congresses and detailed statement of procedure relating thereto. (Art. 26.)

(j) List of protectorates and colonies included in the union. (Art. 27.)

(k) Detailed and very extensive administrative regulations are annexed to this convention (Arts. I–XLV); also forms to be used by postal administrations (Annexes A–S).

No. 482.

Convention respecting prohibition of night work for women in industrial employment.

SIGNED 26 Sept., 1906, at Berne. Effective from 14 Jan., 1912 (8 years later for certain industries named), for 12 years, after which any State may withdraw on 12 months' notice. (Arts. 8 and 11.) Confirmed by the treaties of peace of 1919–20 with Austria (Art. 234), Bulgaria (Art. 167), Czechoslovakia (Art. 20), Germany (Art. 282), and Poland (Art. 19).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Belgium, Bulgaria, Czechoslovakia, France (with Algeria), Germany, Great Britain (with specified colonies), Hungary, Italy, Luxemburg, Netherlands, New Zealand, Poland, Portugal, Sweden, Switzerland, and Tunis. Other States may adhere to this convention at any time on request. (Art. 9.)

This convention does not apply to colonies, possessions, or protectorates, except on special notice to that effect given by the mother country. (Art. 6.)

TEXT: French text and German transl., Martens 87:861–71; French B. F. S. P. 100:794–801; English (transl.), A. J. I. L. Supp. 4:328–37.

(a) This convention has no application to any industrial undertaking where not more than 10 workers or only members of the family are employed. "Industrial undertakings" for the purpose of this convention include mines, quarries, factories, and other industries to be defined by the laws of each State. (Art. 1.)

(b) Night work in industrial undertakings is prohibited to women, without distinction of age (Art. 1), subject to specified exceptions (Art. 3).

(c) Each night's rest shall be not less than 11 consecutive hours (10 hours under conditions stated), which must include the interval from 10 p. m. to 5 a. m. (Arts. 2, 4, and 7.)

(d) The contracting States agree to take measures for the strict enforcement of this convention, and to communicate to each other their laws and regulations with reference thereto; also periodical reports concerning application of said laws. (Art. 5.)

No. 483.

Convention prohibiting use of white (yellow) phosphorus in manufacture of matches.

SIGNED 26 Sept., 1906, at Berne. Effective from 1 Jan., 1912 (Hertslet 26:277), for five years, and thereafter indefinitely; but any State may withdraw on 12 months' notice (Art. 6). Confirmed by the treaties of peace of 1919-20 with Austria (Art. 240), Bulgaria (Art. 167), Czechoslovakia (Art. 20), Germany (Art. 282), Hungary (Art. 223), and Poland (Art. 19).

CONTRACTING STATES. The following countries are parties to this convention: Australia, Austria, Bulgaria, Canada, Czechoslovakia, Denmark (with Faroe Islands and Danish Antilles), France, (with specified colonies), Germany, Great Britain (with specified colonies), India, Luxemburg, Netherlands (with Netherlands Indies), New Zealand, Norway, Poland, South Africa, Spain, Sweden, Switzerland, and Tunis. Other States may adhere on request. (Art. 5.) Adherence to this convention was recommended by the first annual conference of the International Labor Organization. See No. 507 in this volume.

This convention does not apply to colonies, possessions, or protectorates, except on special notice to that effect given by the mother country. (Art. 3.) For list of ratifications and accessions, see Hertslet 25:695, 697; 26:277; 27:265.

TEXT: French text and German transl., Martens 87:872-7; French, B. F. S. P. 99:986-90; Hertslet 25:695-7.

The contracting countries undertake and agree:

(a) To prohibit within their territories the manufacture, importation, and sale of matches containing white (yellow) phosphorus. (Art. 1.)

(b) To take measures for the strict enforcement of this convention and to communicate to each other their laws and regulations with reference thereto; also periodical reports concerning application of such laws. (Art. 2.)

No. 484.

Agreement respecting unification of the pharmacopœial formulæ for potent drugs.

SIGNED 29, Nov., 1906, at Brussels. Effective from 29 Dec., 1906, for indefinite period; but any State may withdraw on six months' notice. (Arts. 5, 6.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 162), Germany (Art. 282), Hungary (Art. 217), and Turkey¹⁵ (Art. 273).

CONTRACTING STATES. United States (with reservations), Austria, Belgium, Bulgaria, Denmark, France, Germany, Great Britain (with reservations), Greece, Hungary, Italy, Luxemburg, Netherlands, Norway, Poland, Portugal (with reservations), Russia, Serbia, Spain, Sweden (with reservations), and Switzerland. Other States may adhere at their request. (Art. 4.)

TEXT: French, B. F. S. P. 99:179-87; Martens. 86:592-600; English (transl.), United States Tr. II:2209-14.

(a) Some 50 medicinal substances are listed, which are to be designated, in the Pharmacopœia published by each of the contracting Governments, by the Latin names used in the table, and must conform with the pharmaceutical directions indicated therein. (Art. 1.)

(b) Statement of rules to be applied in preparation of substances other than those listed in the table. (Art. 2.)

¹⁵ Not yet ratified.

(c) Specifications for a normal drop measure to be adopted by the contracting Governments. (Art. 3.)

(d) Stipulations of Articles 1 to 3 are not binding upon any of the contracting parties until publication of a new issue, or of a supplement, of its Pharmacopœia. (Art. 5.)

No. 485.

Arrangement for establishment of the international office of public hygiene.

SIGNED 9 Dec., 1907, at Rome. Ratifications exchanged 15 Nov., 1908. Effective for seven years and thereafter indefinitely; but any State may withdraw at close of any seven-year period by giving notice one year before. (Art. VIII.) The right is reserved to make changes in this arrangement by joint agreement at any time, as experience may suggest. (Art. V.)

CONTRACTING STATES. The following countries are parties to this arrangement: United States, Algeria, Argentina, Australia, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, Denmark, Egypt, France (with French West Africa and Madagascar), Great Britain, India, Italy, Mexico, Monaco, Netherlands, Norway, Persia, Peru, Poland, Portugal, Rumania, Russia, Serbia, South Africa, Spain, Sweden, Switzerland, Tunis, Turkey, and Uruguay. Other countries may adhere on request. (Art. VI.)

TEXT: French and English transl., G. B. T. S. 1909, No. 6. Cd. 4532; French, B. F. S. P. 100:466-72; Martens 87:913-18; English (transl.), United States Tr. II:2214-19.

(a) The contracting States engage to establish and maintain an International Office of Public Hygiene with headquarters at Paris (Art. I), to function under the authority and supervision of a committee composed of delegates of the contracting States. (Art. II.)

(b) Organization and powers of this Office; the membership, rights, and duties of the committee; publication of information collected; and apportionment of expenses among the contracting countries, are determined by the organic by-laws annexed to this arrangement as an integral part thereof. (Arts. II-IV, and by-laws, Arts. I-XVI.)

No. 486.

Convention relating to protection of literary and artistic works, and protocol additional thereto.

SIGNED 13 Nov., 1908, at Berlin. Additional protocol signed 20 Mar., 1914, at Berne. Effective from 9 Sept., 1910, for indefinite term; but any State may withdraw on 12 months' notice. (Art. 29.) Subject to revision by conferences of delegates from the member countries; but no alteration is binding on the union except by unanimous consent of the countries composing it. (Art. 24.) In the relations of the States parties thereto, this convention replaces that of 9 Sept., 1886, and the additional act of 4 May, 1896, except that certain provisions of the earlier conventions may be substituted for the corresponding provisions in the convention of 1908.¹⁶ The conventions of 1886

¹⁶ In accordance with Articles 25 and 27 of the convention of 1908, substitutions concern the following articles, subjects, and countries:

Art. 2: Works of architecture (Norway).

Art. 8: Exclusive right of making or authorizing translations (Italy, Japan, Netherlands, and Portugal).

Art. 9: Publication in newspapers and periodicals (Denmark, Netherlands, Norway, Portugal and Sweden).

Art. 11: Dramatic or dramatico-musical works (Italy, Japan, Netherlands, and Portugal).

Art. 18: Expiration of term of protection (Great Britain and Norway).

(For details, see L. N. T. S., 1:235, 239-42.)

and 1908 and protocol of 1914 are confirmed by the peace treaties of 1919-20 with Austria (Art. 239), Bulgaria (Art. 166), Czechoslovakia (Art. 20), Germany (Art. 286), Hungary (Art. 222), Poland (Art. 19), and Turkey¹⁷ (Art. 272), subject to exceptions or restrictions which may result from these treaties for the countries concerned.

CONTRACTING STATES. The following countries are parties to this convention, those italicized having also ratified the protocol of 1914: Australia, Austria, Belgium, *Czechoslovakia*, *Denmark* (with Faroe Islands), Finland, France (with Algeria and colonies), Germany, *Great Britain* (with colonies and possessions, and certain protectorate countries), Greece, Haiti, India, Italy, *Japan*, Liberia, *Luxemburg*, *Monaco*, Morocco (French protectorate territory), *Netherlands* (with Dutch East Indies, Curacao, and Surinam), New Zealand, Norway, Poland, Portugal (with colonies), South Africa, Spain (with colonies), Sweden, *Switzerland*, and Tunis. (L. N. T. S., 1:248.) Other States may accede on request. (Art. 25-26.)

TEXT: (1) Convention of 9 Sept., 1886—French text and German transl., Martens 62: 173-92; French, B. F. S. P. 77: 22-34; English (transl.), Hertslet 17: 569-78.

(2) Additional act of 4 May, 1896—French text and German transl., Martens 74: 758-68; French, B. F. S. P. 88: 36-42; English (transl.), Hertslet 20: 623-7.

(3) Convention of 13 Nov., 1908—French text and English transl., L. N. T. S. 1: 217-42; French, B. F. S. P. 102: 619-35.

(4) Additional protocol of 20 Mar., 1914—French text and English transl., L. N. T. S. 1: 243-8; French, B. F. S. P. 107: 353-6.

(a) The contracting States are constituted a union for protection of the rights of authors over their literary and artistic works. (Conv. 13 Nov., 1908, Art. 1.)

(b) Literary and artistic works are defined as including "any production in the literary, scientific, or artistic domain, whatever the mode or form of its reproduction, such as books, pamphlets, and other writings; dramatic or dramatico-musical works, choreographic works and entertainments in dumb show, the acting form of which is fixed in writing or otherwise; musical compositions with or without words; works of drawing, painting, architecture, sculpture, engraving, and lithography; illustrations and geographical charts; plans, sketches, and plastic works relative to geography, topography, architecture or science."

Translations, adaptations, arrangements of music and other reproductions in an altered form of a literary or artistic work, as well as collections of different works, shall be protected as original works without prejudice to the rights of the author of the original work.

Works of art applied to industrial purposes shall be protected so far as the domestic legislation of each country allows. (Ibid., Art. 2.)

(c) Authors who are subjects or citizens of any of the countries of the Copyright Union shall enjoy in all the other countries of the union the same rights for their works, whether unpublished or first published in a country of the union, which the respective laws grant to natives, as well as the rights specially granted by this convention. (Ibid., Arts. 4, 5.)

¹⁷ Not yet ratified.

(*d*) Authors who are not subjects or citizens of one of the countries of the union, who first publish their works in one of those countries, shall enjoy in that country the same rights as native authors, and in the other countries of the union the rights granted by this convention (Art. 6), so far as these rights are consistent with their domestic laws (Art. 7).

(*e*) Authors of unpublished works, being subjects of one of the countries of the union, and authors of works first published in one of those countries, shall enjoy in the other countries of the union, during the whole term of the right in the original work, the exclusive right of making or authorizing a translation of their works. (Art. 8.)

(*f*) Serial stories, tales, and all other works, whether literary, scientific, or artistic, whatever their object published in newspapers or periodicals of a country of the union may not be reproduced in the other countries without consent of the authors. Newspaper articles (except serial stories and tales) may be reproduced by another newspaper, unless reproduction thereof is expressly forbidden; but the source must be indicated. (Art. 9.)

(*g*) Unlawful reproductions to which this convention specially applies include unauthorized indirect appropriations of a literary or artistic work (such as adaptations, musical arrangements, transformations of novel, tale, or poem into drama, or vice versa), which are only reproductions of that work in different form, with unessential alterations, additions, or abridgements, and which do not present the character of a new original work. (Art. 12.)

(*h*) Authors of literary, scientific, or artistic works have the exclusive right of authorizing reproduction and public representation of their work by cinematography or by any other analogous process. Cinematograph productions or reproductions are protected as literary or artistic works if by arrangement of the acting form or by combinations of incidents the author has given the work a personal and original character. (Art. 14.)

(*i*) Detailed provisions concerning institution of proceedings against pirates and seizure of pirated works. (Arts. 15, 16.)

(*j*) Works which through expiration of term of protection have fallen into the public domain of the country where protection is claimed shall not be protected anew in that country. (Art. 18.)

(*k*) This convention does not affect the legislation of countries of the union as regards liberty of extracting portions from literary or artistic works for use in publications destined for educational purposes, or having a scientific character, or for chrestomathies. (Art. 10.)

(*l*) This convention can not derogate from the right of any country of the union to permit, control, or prohibit by domestic legislation or police the circulation, representation, or exhibition of any works or productions in regard to which the competent authority may find it necessary to exercise that right. (Art. 17.)

(*m*) This convention shall not prevent claims being made for application of any wider provisions which may be made by legislation of a country of the union in favor of foreigners in general. (Art. 19.)

(*n*) Countries of the union may enter into special arrangements with each other conferring upon authors other or more extended rights consistent with this convention, and any existing arrangements of this character remain applicable. (Art. 20.)

(*o*) This convention applies to photographic and other works produced by analogous processes (Art. 3); also to public representation of dramatic or dramatico-musical works, and to public performance of musical works and translations thereof. (Arts. 11 and 13.)

(*p*) The term of protection granted by this convention includes the life of the author, and fifty years after his death (unless otherwise regulated by the law of the country where protection is claimed), but must in no case exceed the term fixed in the country of origin of the work. (Arts. 7 and 30.)

(*q*) In case a foreign country (not a member of the Copyright Union) fails to protect sufficiently the works of authors belonging to member countries, nothing in this convention shall be deemed to limit in any way the right of any member country, or of its overseas possessions, to restrict the protection of works whose authors are at the time of the first publication of such works subjects or citizens of said foreign country and are not effectively domiciled in one of the member States. (Addl. protocol of 1914, secs. 1, 2.)

(*r*) The Office of the International Union for the Protection of Literary and Artistic Works is established under authority of the Swiss Government, which regulates its organization and supervises its working. The official language of the office is French. (Art. 21.) Duties of the international office include collection of every kind of information relating to protection of rights of authors over their literary and artistic works and publication of a periodical (*Le droit d'auteur*) on questions concerning the objects of the union. (Art. 22.) Expenses of the international office (which has been united with the Bureau of Industrial Property under control of the Swiss Department of Foreign Affairs) are borne by the contracting States upon a basis of unit ratios described in detail. (Art. 23.)

No. 487.

Convention regarding international circulation of automobiles.

SIGNED 11 Oct., 1909, at Paris. Effective from 1 May, 1910, for indefinite term (Art. 13), but any State may withdraw on 12 months' notice (Art. 14). Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 162), Germany (Art. 382), and Turkey¹⁸ (Art. 273).

CONTRACTING STATES. The following countries are parties to this convention: Algeria, Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Finland, France, Germany, Great Britain (with specified colonies), Greece, Hungary, India, Italy, Luxemburg, Monaco, Montenegro, Netherlands (with Dutch East Indies), Poland, Portugal, Rumania, Russia, Spain, Sweden, Switzerland, and Tunis.

TEXT: French text and German transl., Martens 88:834-49; French, B. F. S. P. 102:64-71; English (transl.), A. J. I. L. Supp., 4:316-28.

(a) Statement of conditions which motor vehicles must fulfil in order to be admitted to circulate on public highways. (Art. 1.)

(b) Statement of qualifications of conductors of motor vehicles. (Art. 2.)

(c) Provisions regarding issuance and recognition of international certificates, which must conform to specified models and certify to the fitness of motor vehicles and their conductors. (Art. 3 and Annexes A and B.)

(d) Distinctive letters and numbers must be attached to motor vehicles to indicate their nationality, in accordance with specified models. (Art. 4 and Annex C.)

(e) Provisions regarding signals of approach of motor vehicles (lights, lanterns, and horns or trumpets). (Art. 5.)

(f) Standardized danger signals to be erected on public highways conformably to specified model. (Art. 8 and Annex D.)

(g) Provisions applying to motor cycles (art. 6); meeting and passing of motor vehicles (Art. 7), and observance of local laws and regulations by conductors of motor vehicles (Art. 9).

No. 488.

Agreement for the repression of obscene publications.

SIGNED 4 May, 1910, at Paris. Effective from 15 Sept., 1911, for an indefinite period, but any State may withdraw on 12 months' notice. (Art. V.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 162), Czechoslovakia (Art. 20), Germany (Art. 282), Hungary (Art. 217), Poland (Art. 19), and Turkey¹⁸ (Art. 273).

CONTRACTING STATES. The following countries are parties to this convention: United States, Australia, Austria, Belgium, Canada, Czechoslovakia, Denmark, France, Germany, Great Britain (and long list of specified colonies), Hungary, India, Italy, Luxemburg, Netherlands, New Zealand, Norway, Poland, Portugal, Russia, South African Union, Spain, and Switzerland.

Other States may adhere at their request (Art. IV), and provision is made for separate accession or withdrawal of colonies, possessions, etc. (Art. VII.)

TEXT: French text and German transl., Martens 92:266-72; French, B. F. S. P. 103:251-5; English (transl.), United States Tr. III:133-6.

¹⁸ Not yet ratified.

Each of the contracting powers undertakes to establish or designate an authority charged with the duty of:

(a) Centralizing all information which may facilitate the tracing and repressing of acts of an international character infringing laws of the contracting States in respect to obscene writing, drawings, pictures, or other articles.

(b) Supplying all information tending to check importation of such publications or articles and to ensure or expedite seizure thereof.

(c) Communicating the laws enacted in the respective States in regard to the objects of this agreement. (Art. I.)

(d) Communicating to the similar authorities of the other contracting States (so far as permitted by municipal law) bulletins of sentences passed for offenses against the objects of this agreement. (Art. III.)

No. 489.

Conventions for suppression of the white-slave traffic.

SIGNED at Paris, 18 May, 1904, and 4 May, 1910, respectively. Duration indefinite, but any State may withdraw on 12 months' notice. (Conv. 1910, Art. X.) Both conventions were confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 167), Czechoslovakia (Art. 20), Germany (Art. 282), Hungary (Art. 217), Poland (Art. 19), and Turkey¹⁹ (Art. 273).

CONTRACTING STATES. Of the following countries those italicized are parties to both these conventions, the others being bound only by that of 1904: United States, *Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Czechoslovakia*, Denmark (with Danish Antilles), *France, Germany, Great Britain* (with long list of specified colonies²⁰), *Hungary, Iceland, India, Italy, Luxemburg, Netherlands* (with Dutch East Indies), *New Zealand, Newfoundland, Norway, Poland, Portugal, Russia, South Africa, Spain, Sweden, Switzerland and Uruguay*. (L. N. T. S., 1: 91-4; B. F. S. P. 103: 250: 107: 532.) Other States may adhere on request. (Art. 7.) Adherence to convention of 1910 is deemed to include adherence to the agreement of 1904, unless otherwise expressly notified. (Art. VIII.) Provision is made for separate accession or withdrawal of colonies, possessions, etc. (Art. XI.)

TEXT: (1) Agreement of 1904.—French text and English transl., L. N. T. S., 1: 84-94; French text and German transl., Martens 82: 160-9; French, B. F. S. P. 97: 95-101; English (transl.), United States Tr. II: 2131-5.

(2) Convention of 1910—French, B. F. S. P. 103: 244-51.

(a) Each contracting power undertakes to establish or designate an authority charged with the duty of centralizing all information regarding procurement of women and girls for debauchery in a foreign country, such authority to have the right to correspond directly with the similar service established in each of the contracting States. (Agmt. 1904, Art. 1.)

(b) Each contracting State undertakes to exercise supervision over the bureaus or agencies which occupy themselves with finding places for women or girls in foreign countries, and to find out the conductors of women or girls intended for debauchery; the presum-

¹⁹ Not yet ratified.

²⁰ Most of these are bound by the agreement of 1904, some with reservations. See L. N. T. S. 1: 91-4.

able authors, accomplices, or victims of such traffic shall be notified to authorities named. (Ibid., Art. 2.)

(c) Victims of this criminal traffic who are without resources shall be temporarily confided to charitable institutions or trustworthy individuals, pending return to their country of origin. (Ibid., Arts. 3-5.)

(d) Provisions regarding punishment for procuration of women or girls under 20, even with their consent (Conv. 1910, Art. I), and for procuration of older women or girls by fraud, force, threat, or other means of constraint (Ibid., Art. II).

(e) The contracting States whose existing laws are inadequate to suppress this immoral traffic undertake to submit the necessary measures to their legislatures for enactment (Ibid., Art. III), and to communicate to each other their laws dealing with objects of this convention. (Ibid., Art. IV.)

(f) Provision to include white-slave traffic with the crimes and offenses for which extradition is granted under existing treaties between the contracting States and statement of procedure relating thereto. (Ibid., Arts. V, VI.)

(g) Each contracting State undertakes to communicate to the others bulletins of the sentences passed within its jurisdiction for offenses against the objects of this convention. (Ibid., Art. VII.)

No. 490.

Convention concerning literary and artistic copyright (Inter-American).

SIGNED ²¹ 11 Aug., 1910, at Buenos Aires. Effective for indefinite term, but any State may withdraw after 12 months' notice. (Art. 15.)

CONTRACTING STATES. The following countries are parties to this convention: United States, Bolivia, Brazil, Costa Rica, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Peru, and Uruguay.

TEXT: English, French, Spanish, and Portuguese, U. S. T. S. No. 593; English, United States Tr. III: 349-53.

(a) Literary and artistic works are defined as including "books, writings, pamphlets of all kinds, whatever may be the subject of which they treat, and whatever the number of their pages; dramatic or dramatico-musical works; choreographic and musical compositions, with or without words; drawings, paintings, sculpture, engravings; photographic works; astronomical or geographical globes, plans, sketches, or plastic works relating to geography, geology, or topography, architecture, or any other science; and, finally, all productions that can be published by any means of impression or reproduction." (Art. 2.)

²¹ Signed but not ratified by Argentina, Chile, Colombia, Cuba, Mexico, Salvador, and Venezuela.

(b) Acknowledgment of a copyright obtained in one State, in conformity with its laws, shall produce its effects of full right, in all the other States, without the necessity of complying with any other formality, provided always there shall appear in the work a statement that indicates the reservation of the property right. (Art. 3.)

(c) Every publication infringing a copyright may be confiscated in the signatory country in which the original work had the right to be legally protected, without prejudice to the indemnities or penalties which the counterfeiters may have incurred according to the laws of the country in which the fraud may have been committed. (Art. 14.)

(d) Detailed provisions relating to rights and powers conferred by copyrights (Arts. 4-6); term of duration of copyrights in the different signatory countries (Arts. 6, 7); copyrights of translations (Art. 9), and of articles published in periodicals (Arts. 10, 11); permissible reproduction of extracts from publications for purposes named (Art. 12); and reproductions declared illicit (Art. 13).

No. 491.

Convention concerning protection of trade-marks (Inter-American).

SIGNED ²² 20 Aug., 1910, at Buenos Aires. Effective for indefinite term, but any State may withdraw after 12 months' notice. (Art. XIX.) As regards the relations between the contracting States, this convention supersedes any treaties on trade-marks previously concluded by and between them. (Art. XVII.)

CONTRACTING STATES.²² The following countries are parties to this convention: United States, Bolivia, Brazil, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Peru, and Uruguay.

TEXT: English, French, Spanish, and Portuguese, U. S. T. S. No. 626; English, United States Tr. III: 354-61.

(a) The object of this convention is the protection of trade-marks and commercial names. (Art. I.) Any mark duly registered in one of the signatory States shall be considered as registered also in the others, without prejudice to the rights of third persons and to provisions of the laws of each State governing the same. Payment of \$50 gold is required of manufacturers or merchants for registration of trade-marks, in addition to the fees or charges fixed by the laws of the State in which application for registration is first made; this charge to cover all expenses of both bureaus (described below under *g* to *j*) for the international registration of trade-marks in all the signatory States. (Art. II.)

(b) Deposit of a trade-mark in one of the signatory States produces in favor of the depositor a right of priority for a period of six months, so as to enable him to make the deposit in the other States. (Art. III.)

²² Signed but not ratified by Argentina, Colombia, Chile, Mexico, Salvador, and Venezuela.

(c) "Trade-mark" is any sign, emblem, or special name used by merchants or manufacturers to distinguish their respective goods or products. (Art. IV.) The following can not be adopted or used as trade-marks: "National, provincial, or municipal flags, or coats-of-arms; immoral or scandalous figures; distinctive marks which may have been obtained by others, or which may give rise to confusion with other marks; the general classification of articles; pictures or names of persons without their permission; and any design which may have been adopted as an emblem by any fraternal or humanitarian association." These provisions to be construed without prejudice to the particular provisions of the laws of each State. (Art. V.)

(d) Falsification, imitation, or unauthorized use of trade-marks, also false representations regarding origin of a product, shall be prosecuted in accordance with laws of the State wherein the offense is committed. (Art. VIII.)

(e) Conditions and proofs upon which the registration of a trade-mark may be annulled in any of the contracting States. (Art. IX.)

(f) Commercial names are protected in all the States of the Union, without deposit or registration, whether part of a trade-mark or not. (Art. X.)

(g) For purposes of this convention a Union of American Nations is constituted, which shall act through two international bureaus, to be established at Habana and Rio de Janeiro, after ratification of this convention by at least two-thirds of the nations belonging to each group. (Arts. XI, XVI.)

(h) Duties of the two international bureaus are specified in detail. The representative Governments shall send to these international American bureaus their official publications announcing registration of trade-marks and commercial names, and grants of patents or privileges, also judgments of the courts concerning invalidity of trade-marks and patents. (Art. XII.)

(i) The bureau established in Habana has charge of the registration of trade-marks coming from the United States, Mexico, Cuba, Haiti, the Dominican Republic, Salvador, Honduras, Nicaragua, Costa Rica, Guatemala, and Panama. The bureau to be established at Rio de Janeiro shall have charge of the registration of trade-marks coming from Brazil, Uruguay, Argentina, Paraguay, Bolivia, Chile, Peru, Ecuador, Venezuela, and Colombia. (Art. XIII.)

(j) Provisions relating to books, accounts, and rules of procedure. The two bureaus are to be considered as one and to be governed by identical regulations framed with the concurrence of the Governments of Cuba and Brazil, and approved by all the other signatory States. (Arts. XIV, XV.)

The budgets of these bureaus, after being sanctioned by the Governments of Cuba and Brazil, are to be defrayed by all signatory States in the proportion established for the support of the Pan American Union at Washington. (Art. XV.)

No. 492.

Convention for protection of inventions, patents, designs, and industrial models (Inter-American).

SIGNED ²³ 20 Aug., 1910, at Buenos Aires. Supersedes previous treaties on the same subjects concluded between the contracting parties. (Art. XI.) Adhesion of American nations to this convention must be communicated to the Government of Argentina. (Art. XII.) Any State may withdraw after 12 months' notice. (Art. XIII.)

CONTRACTING STATES. The following countries are parties to this convention: United States, Bolivia, Brazil, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, and Uruguay.

TEXT: English, French, Spanish, and Portuguese, U. S. T. S. No. 595; English, B. F. S. P. 106: 834-8; United States Tr. III: 362-6.

(a) Any person obtaining a patent of invention in any of the signatory States shall enjoy in each of the other States all the advantages which the laws relative to patents of invention, designs, and industrial models concede. Consequently, they have the right to the same protection and the identical legal remedies against any attack upon their rights. (Art. II.)

(b) Any person who has regularly deposited an application for a patent of invention, or design, or industrial model in one of the contracting States shall enjoy, for the purpose of making the deposit in the other States (without prejudice to rights of third parties) a right of priority during a period of twelve months for patents of invention, and of four months for designs or industrial models. (Art. III.)

(c) "The following shall be considered as inventions: A new manner of manufacturing industrial products; a new machine or mechanical or manual apparatus which serves for the manufacture of said products; the discovery of a new industrial product; the application of known methods for the purpose of securing better results; and every new, original, and ornamental design or model for an article of manufacture. The foregoing shall be understood without prejudice to the laws of each State." (Art. VI.)

(d) Any of the contracting States may refuse to recognize patents if the inventions or discoveries—

(1) Have been previously published in any country.

(2) Have been registered, published, or described in any country more than one year prior to date of application in the country where the patent is sought.

²³ Signed but not ratified by Argentina, Chile, Colombia, Mexico, Peru, Salvador, and Venezuela.

(3) Have been in public use, or on sale, in the country where the patent has been applied for, one year prior to date of said application.

(4) Are in some manner contrary to morals or laws. (Art. VII, *a-d*.)

(e) Injuries or damage to rights of inventors shall be prosecuted and punished in accordance with the laws of the countries wherein the offense is committed, or the damage occasioned. (Art. IX.)

(f) Copies of patents certified in the country of origin, according to the national law thereof, shall be given full faith and credit as evidence of a right of priority (Art. X), except as noted above under *d*.

No. 493.

Convention for unification of certain rules of law respecting assistance and salvage at sea.

SIGNED 23 Sept., 1910, at Brussels. Ratifications deposited there 1 Feb., 1913. Effective from 1 Mar., 1913, for indefinite term; but parties may withdraw on 12 months' notice, and may call a conference with a view to amendments after 1 Mar., 1916. (Art. 16.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 167), Germany (Art. 282), Hungary (Art. 217), and Turkey²⁴ (Art. 273).

CONTRACTING STATES. The following countries are parties to this convention: United States, Austria, Belgium, Brazil, Canada, Denmark, France, Germany, Great Britain (and long list of specified colonies, possessions, etc.), Greece, Italy (with Eritrea and Somaliland), Japan, Mexico, Netherlands, Newfoundland, New Zealand, Norway, Portugal, Rumania, Russia, Sweden, and Uruguay. Other States may adhere on request. (Art. 17.)

TEXT: French text and German transl., Martens 92:711-56; French, B. F. S. P. 103:441-55; English (transl.), United States Tr. III:137-50; French and English, G. B. T. S. 1913, No. 4, Cd. 6677.

(a) The provisions of this convention apply alike to seagoing vessels and to vessels of internal navigation, in whatever waters the services may have been rendered (Art. 1); and shall be applied as regards all persons interested when either the assisting or the assisted vessel belongs to one of the contracting States, and in any other cases for which the national laws provide, subject to qualifications stated; but where all persons interested belong to the same State as the court trying the case, the provisions of the national law, and not of this convention, are applicable (Art. 15.)

(b) Every act of assistance or salvage which has had a useful result gives a right to equitable remuneration, but in no case shall the sum to be paid exceed the value of the property salvaged. (Art. 2.)

(c) Persons taking part in salvage operations, notwithstanding the express and reasonable prohibition on the part of the vessel to which services were rendered, have no right to any remuneration. (Art. 3.)

(d) A tug has no right to remuneration for assistance to or salvage of the vessel she is towing, except where she has rendered exceptional services not required by the contract of towage. (Art. 4.)

²⁴ Not yet ratified.

(e) Remuneration for assistance or salvage is fixed by agreement between the parties or by the court, which may modify agreements made under conditions stated. (Arts. 6-8.)

(f) No remuneration is due from persons whose lives are saved unless otherwise provided by the national laws. (Art. 9.)

(g) A salvage action is barred after two years, subject to exceptions stated. (Art. 10.)

(h) Duty of masters to give assistance to everybody found at sea in danger of being lost, even though an enemy. (Art. 11.)

(i) The contracting States agree to communicate to one another their laws and regulations to give effect to provisions of this convention. (Art. 12.)

(j) **Exceptions.** This convention does not affect:

(1) Provisions of national laws or international treaties regarding organization of services of assistance and salvage by or under control of public authorities, nor such laws or treaties concerning salvage of fishing gear. (Art. 13.)

(2) Ships of war, nor government ships appropriated exclusively to a public service. (Art. 14.)

No. 494.

Convention for unification of certain rules of law respecting collisions between vessels.

SIGNED 23 Sept., 1910, at Brussels. Ratifications deposited 1 Feb., 1913. Effective from 1 Mar., 1913 (Art. 16 and addl. article), for an indefinite term; but any State may withdraw on 12 months' notice (Art. 17), or may call a conference with a view to amendments at any time after 1 Mar., 1916 (Art. 14). Confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 167), Germany (Art. 282), Hungary (Art. 217), and Turkey²⁵ (Art. 273).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Belgium, Brazil, Canada, Denmark, France, Germany, Great Britain (with long list of specified colonies, possessions, etc.), Greece, India, Italy, Japan, Mexico, Netherlands, Newfoundland, New Zealand, Nicaragua, Norway, Portugal, Rumania, Russia, Sweden, and Uruguay. Other States may adhere on request. (Art. 15.)

TEXT: French text and English transl., G. B. T. S. 1913, No. 4, Cd. 6677; French text and German transl., Martens 92: 711-27; French, B. F. S. P. 103: 434-41, 449-53.

I. Compensation for damages.—Compensation for damages to vessels, or to any persons or things on board, is regulated by the following provisions, in whatever waters the collision may occur:

(a) If the collision between vessels is accidental or caused by *force majeure*, or its cause is in doubt, the damages are borne by those who have suffered them. This provision applies notwithstanding that any of the vessels are anchored or otherwise made fast at time of casualty. (Art. 2.)

²⁵ Not yet ratified.

(b) If the collision is caused by fault of one of the vessels that vessel is liable for damages. (Art. 3.)

(c) If two or more vessels are in fault the liability of each, even to third parties, is in proportion to the degree of its fault as regards damages to vessels or their cargoes or to property of crews, passengers, or other persons on board. But in respect of damages caused by death or personal injuries, the vessels in fault are jointly and severally liable to third parties. In such case, however, a vessel which has paid more than its share is entitled to contribution from other vessels in fault, in accordance with the law of each country. (Art. 4.)

(d) The aforementioned liability for damages attaches in case of collisions through fault of a pilot, even when he is carried by compulsion of law. (Art. 5.) This provision is subject to an agreement being reached regarding limitations of liability of shipowners. (Addl. art.)

(e) The right of action for damages is not conditional on entering of protest or fulfillment of any other special formality. All legal presumptions of fault regarding liability for collision are abolished. (Art. 6.)

(f) Actions for damages are barred after two years from date of casualty, subject to exceptions stated. (Art. 7.)

(g) This convention extends to making good of damages caused to vessels, or to goods or persons on board, by execution or nonexecution of a maneuver or by nonobservance of the regulations, even if no collision had actually taken place. (Art. 13.)

II. Duty of masters.—After a collision, the master of a colliding vessel must, so far as possible, help the damaged vessel and her crew and passengers and must name his vessel and its home port and the ports between which he is sailing. (Art. 8.) The contracting States agree to communicate to each other their laws and regulations enacted or proposed to give effect to this undertaking. (Art. 9.)

III. Reservations and exceptions.

(a) Without prejudice to any future conventions, this convention does not affect in any way the law in force in each country regarding limitation of shipowners' liability nor the legal obligation arising from contracts of carriage or from any other contracts. (Art. 10.)

(b) Where all persons interested belong to the same State as the court trying the case the provisions of the national law and not of this convention are applicable. (Art. 12.)

(c) As regards persons interested who belong to a noncontracting State, the application of this convention may be made by each contracting State conditional upon reciprocity. (Art. 12.)

(d) This convention does not apply to ships of war or to government ships appropriated exclusively to a public service. (Art. 11.)

No. 495.

*Convention for the protection of industrial property.*²⁶

SIGNED 2 June, 1911, at Washington. Effective from 1 May, 1913, for an indefinite term; but any State may withdraw on 12 months' notice. (Art. 17.) In the relations of the countries which are parties thereto this convention replaces that of 20 Mar., 1883, the protocol of 15 Apr., 1891, and the additional act of 14 Dec., 1900. But these acts remain binding on the parties thereto which have not ratified the convention of 1911. (Art. 18.) Both the convention of 1883 and that of 1911 were confirmed by the treaties of peace of 1919-20 with Austria (Art. 237), Bulgaria (Art. 166), Czechoslovakia (Art. 20), Germany (Art. 286), Hungary (Art. 220), Poland (Art. 19), and Turkey²⁷ (Art. 272).

CONTRACTING STATES. The following countries are parties to the convention of 1911: United States, Austria, Belgium, Brazil, Bulgaria, Ceylon, Czechoslovakia, Denmark (including Faroe Islands) Dominican Republic, France, Germany, Great Britain, Hungary, Italy, Japan, Mexico, Morocco (French protectorate territory), Netherlands, New Zealand, Norway, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Spain, Sweden, Switzerland, Tobago, Trinidad, and Tunis. Other States may adhere on request (Art. 16), and provision is made for separate adherence or withdrawal of colonies, possessions, etc. (Art. 16.) For parties to the earlier conventions, see P. I. 31 Jan., 1921.

TEXT: (1) Convention of 20 Mar, 1883, and act of 14 Dec., 1900, additional thereto—French text and German transl., Martens 80:449-63; 465-74; French, B. F. S. P. 74:44-51; 92:807-14; English (transl.), Conv. of 1883, United States Tr. II: 1935-49.

(2) Agreement of 14 Apr., 1891, concerning international registration of trade-marks, and act of 14 Dec., 1900, additional thereto—French text and German transl., Martens 68:842-7; 80:475-7; French, B. F. S. P. 96:839-43; 848-52; R. G. P. I. VII:679-87. See also P. I. 31 Jan., 1921.

(3) Protocol of 15 Apr., 1891—French text and German transl., Martens 80:463-4; French, Martens 72:216-17; B. F. S. P. 83:676-7; 96:843-8.

(4) Convention of 2 June, 1911—French text and English transl., U. S. T. S. No. 579; French text and German transl., Martens 93:760-85; French, B. F. S. P. 104:116-30; Hertslet 27:289-304; English (transl.), U. S. Tr. III:367-79.

(a) By this convention the participating States constitute themselves a union for the protection of industrial property, such as patents of invention, industrial models or designs, and trade or commercial marks. (Conv. 1911, Art. 1.) Provision is made for the establishment of an international bureau, which is placed under the supervision of the Government of Switzerland. Expenses of the bureau are limited to 60,000 francs a year and are borne by the contracting countries in specified proportions. (Art. 13.)

(b) National treatment is reciprocally pledged to citizens of the contracting States in all countries of the union, as regards any advantages granted by law in each member country to its own citizens, with regard to patents of invention, models of utility, industrial de-

²⁶ An agreement respecting preservation or reestablishment of the rights of industrial property affected by the World War was signed 30 June, 1920, and came into force 30 Sept., 1920. The following States are parties to this agreement: Austria, Belgium, Brazil, Ceylon, Czechoslovakia, France, Germany, Great Britain (with a reservation), Greece, Hungary, Italy, Japan, Morocco (French protectorate territory), Norway, Poland, Serb-Croat-Slovene State, Spain, Sweden (with reservations), Switzerland, Trinidad, and Tunis. (L. N. T. S., 1:302-5.) Other countries may accede on request. (Art. 5.) This agreement contains provisions regarding extensions of time allowed by the industrial property convention for use or exploitation of trade-marks, drawings, models, etc. (Arts. 1-3); but these provisions in no way affect stipulations agreed to by belligerent countries in the treaties of peace with Germany and with Austria (Art. 5). (English and French, L. N. T. S., 1:61-5.)

²⁷ Not yet ratified.

signs or models, trade-marks, trade names, statements of place of origin, and suppression of unfair competition. Consequently, citizens of the contracting States have the same protection in other countries of the union and the same legal remedies against any infringements of their rights as the citizens of the country concerned, provided they comply with the formalities and requirements imposed by the national laws of each State upon its own citizens. No obligation of domicile or of establishment in the country where the protection is claimed shall be imposed on the members of the union. (Art. 2.)

(c) Subjects or citizens of countries which do not form part of the union, who are domiciled or own effective and bona fide industrial or commercial establishments in the territory of any of the countries of the union, are assimilated to the subjects or citizens of the contracting countries. (Art. 3.)

(d) Applications for patents, designs, models, or trade-marks filed in any country of the union secure for the applicants, their successors or assignees, a right of priority for the purpose of filing such applications in the other countries of the union (subject to rights of third parties). These periods of priority are 12 months for patents and models of utility, and 4 months for industrial designs and models and for trade-marks. Procedure stated in detail. (Art. 4.)

(e) Patents applied for in the different contracting countries shall be independent of the patents obtained for the same invention in the other countries adherent or not to the union. Provision explained in detail. (Art. 4½.)

(f) Provisions concerning importation by patentee of articles produced in other countries of the union, and concerning the working of patents. (Art. 5.)

(g) Detailed provisions concerning registration of trade-marks. (Arts. 6, 7½.)

(h) Trade names to be protected in all countries of the union without the obligation of filing, whether part of a trade-mark or not. (Art. 8.)

(i) Seizure and other penalties for importing unlawfully marked goods. (Arts. 9, 10.)

(j) The contracting countries agree to assure to the members of the union effective protection against unfair competition. (Art. 10½.)

(k) Temporary protection is accorded to patentable inventions, models, designs, or trade-marks for products exhibited at international expositions in member countries. (Art. 11.)

(l) Each of the contracting countries undertakes to establish a special service for industrial property, and a central office for com-

munication to the public of patents, working models, industrial models, or designs, and trade-marks. (Art. 12.)

(m) The contracting countries reserve the right to make separately, between themselves, special arrangements for the protection of industrial property, so far as such arrangements do not interfere with provisions of the present convention. (Art. 15.)

(n) For the purpose of this union, the words "industrial property" are to be taken in the broadest sense, including the products of agricultural industries, and extracts. (Final protocol, Art. I.)

No. 496.

Agreement for prevention of false declaration of origin on goods.

SIGNED 2 June, 1911, at Washington. Effective from 1 May, 1913, for indefinite term, but any State may withdraw on 12 months' notice. (Art 6.) Replaces the agreement signed at Madrid 14 Apr., 1891.²⁸ (Preamble.)

CONTRACTING STATES. The following countries are parties to this agreement: Brazil, Czechoslovakia, France (with Morocco and Tunis), Great Britain (with New Zealand, Ceylon, Trinidad, and Tobago), Portugal, Spain, and Switzerland.

States which are parties to the Industrial Property Union may accede to this agreement on request. (Art. 5.)

TEXT: French text and English transl., G. B. T. S., 1913, No. 7, Cd. 6804; French text and German transl., Martens 94:801-4; French, Hertslet 27:305-8; B. F. S. P. 104:137-9.

(a) Provision is made for seizure in any of the contracting countries, at request of any competent authority or interested party (Art. 2), of all goods bearing false indications of origin, purporting or implying that the goods in question originated in one of the contracting countries. In case the laws of any country do not permit seizure of the goods, nor prohibition of their importation, these measures shall be replaced by whatever acts or means of protection the laws of such country assure in like case to its own nationals. (Art. 1.)

(b) The tribunals of each country shall decide what appellations or designations, on account of their generic character, do not fall within the provisions of this agreement; except as regards regional appellations concerning the origin of products of the vine. (Art 4.)

(c) Vendors may place their name and address on goods coming from other countries, but in such case it must be accompanied by a clear indication in legible characters of the country or place of production or manufacture. (Art. 3.)

No. 497.

Convention for preservation and protection of fur seals.

SIGNED 7 July, 1911, at Washington. Ratifications exchanged there 12 Dec., 1911. Effective from 15 Dec., 1911, for 15 years, and thereafter until terminated by 12 months' notice given by one or more of the parties to all the others. Subject to extension and modification upon request of any of the parties

²⁸ French, B. F. S. P. 96:837-8.

in the manner stated. (Art. XVI.) This convention supersedes the fur seals treaty of 7 Feb., 1911, between the United States and Great Britain (United States Tr. III:56-9), so far as inconsistent therewith, or in duplication thereof. (Art. XV.)

CONTRACTING STATES. The following countries are parties to this convention: United States, Great Britain, Russia, and Japan.

TEXT: English. United States Tr. III:99-105; Martens 90:720-7.

(a) Subject to the exception noted below under (c), the contracting parties agree:

1. That all persons subject to their laws and treaties, and their vessels, shall be prohibited from engaging in pelagic sealing in the north Pacific Ocean within the protected area specified (Arts. I and VIII); pelagic sealing being defined as "the killing, capturing, or pursuing in any manner whatsoever of fur seals at sea" (Art. IX.)

2. That no person or vessel shall be permitted to use any port, harbor, or territory of a contracting party for any purpose connected with pelagic sealing within the protected area. (Art. II.)

3. That no seal skins taken within the protected area, nor any seal skins of the kinds specified, shall be permitted to be brought into the territory of any contracting party, except when officially marked or certified as having been taken under the authority of the respective powers. (Art. III.)

4. Not to permit their subjects or vessels to kill, capture, or pursue sea otters beyond 3 miles from the shore line of their respective territories in any part of the protected waters specified. (Art. V.)

(b) Extensive and detailed provisions regarding distribution of seal skins, or proceeds thereof, among the contracting parties. (Arts. X-XIV.)

(c) The provisions of this convention do not apply to Indians, Ainos, Aleuts, or other aborigines dwelling on the coast of the protected waters, who carry on pelagic sealing in canoes in the manner specified; provided such aborigines are not in the employment of other persons, or under contract to deliver the skins to any person. (Art. IV.)

No. 498.

International sanitary convention.

SIGNED 17 Jan., 1912, at Paris. Ratifications exchanged there 7 Oct., 1920. Duration indefinite. Supersedes all earlier general conventions on the subject, as regards relations between the countries which are parties to this convention. (Art. 160.) The conventions of 1892, 1893, 1894, 1897, and 1903 cited below were confirmed by the treaties of peace of 1919-20 with Austria (Art. 234), Bulgaria (Art. 167), Czechoslovakia (Art. 20), Germany (Art. 282), Hungary (Art. 217), Poland (Art. 19), and Turkey²⁹ (Art. 273) and are continued in force with regard to the powers parties thereto which have not become parties to this convention (Art. 160).

CONTRACTING STATES. The following countries are parties to this convention: United States, Belgium, Colombia, Denmark, Ecuador, Egypt, France, Great Britain, Italy, Monaco, Netherlands, Newfoundland, Norway, Panama, Persia, Portugal, Rumania, Spain, Sweden, and Switzerland. (J. O. 21 Oct., 1920:16138.) Other States may adhere on request. (Art. 159.)

²⁹ Not yet ratified.

TEXT: (1) Convention of 30 Jan., 1892—French, Martens 69:260-86; B. F. S. P. 84:12-38.

(2) Convention of 15 Apr., 1893—French and German, Martens 69:239-60; French, B. F. S. P. 85:7-18.

(3) Convention of 3 Apr., 1894—French text and German transl., Martens 74:516-55; B. F. S. P. 87:78-99.

(4) Convention of 19 Mar., 1897—French text and German transl., Martens 78:339-348; French, B. F. S. P. 89:159-209.

(5) Convention of 3 Dec., 1903⁸⁰—French text and German transl., Martens 86:78-192; French, B. F. S. P. 97:1085-139; Hertslet 25:363-430; English (transl.), United States Tr. II:2066-130.

(6) Convention of 17 Jan., 1912—French text and English transl., U. S. T. S. No. 649; French B. F. S. P. 108:230-83; Hertslet 27:308-74; English (transl.), United States Tr. III:390-430.

In a general way, this convention deals with the duty of notifications when epidemics exist, the declaring of quarantines and their duration, and the measures of protection allowed to be applied by an individual State respecting disinfection of incoming passengers, merchandise, and ships. Special dispositions are included concerning the Red Sea, the Suez Canal, and the Persian Gulf. The following outline summarizes the very extensive and detailed provisions of the convention of 17 Jan., 1912:

(a) Rules to be observed by the contracting countries as soon as plague, cholera, or yellow fever appear in their territory. (Arts. 1-6.)

(b) Conditions which warrant consideration of a territorial area as being contaminated or ceasing to be such. (Arts. 7-9.)

(c) Measures of defense by other countries against territories declared to be contaminated, including publication of such measures (Art. 10); disinfection of merchandise and baggage (Arts. 11-20); defensive measures at ports and at maritime frontiers (Arts. 21-44); defensive measures on land frontiers, railroads, and navigation routes (Arts. 45-53).

(d) Special provisions applicable to oriental countries, with special reference to the Red Sea, the Suez Canal, and the Persian Gulf. (Arts. 54-83.)

(e) Special provisions applying to pilgrimages. (Arts. 84-152.)

(f) Provisions regarding the Sanitary, Maritime, and Quarantine Board of Egypt (Arts. 153-5); the International Health Board of Tangier (Art. 156); and miscellaneous provisions (Arts. 157-8).

(g) Regulations concerning transit of passengers and mails from contaminated countries through Egyptian territory in quarantined trains. (Annex I.)

(h) Khedival decree and ministerial regulations concerning the constitution and operation of the Sanitary, Maritime, and Quarantine Board of Egypt. (Annex II.)

⁸⁰ For parties to the convention of 1903, see Hertslet 25:427-30.

No. 499.

Convention for suppression of the abuse of opium³¹ and other drugs.

SIGNED 23 Jan., 1912, at The Hague. Execution of this convention having been interrupted by the war, the treaties of peace of 1919-20 with Austria (Art. 247), Bulgaria (Art. 174), Germany (Art. 295), Hungary (Art. 230), and Turkey³² (Art. 280) provide for its coming into force within 12 months. Became effective 10 Jan., 1921, for indefinite term, but any State may withdraw on 12 months' notice. (Art. 25.)

CONTRACTING STATES. The following countries are parties to this convention: United States, Australia, Austria, Belgium, Bolivia, Brazil, Canada, China, Cuba, Czechoslovakia, Denmark, Ecuador, France, Germany, Great Britain, Greece, Guatemala, Haiti, Hedjaz, Honduras, Hungary, India, Italy, Japan, Liberia, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Persia, Peru, Poland, Portugal, Rumania, Russia, Serb-Croat-Slovene State, Siam, South Africa, Spain, Sweden, Uruguay, and Venezuela. Other powers may accede on request (Art. 22), and any State may withdraw on 12 months' notice (Art. 25).

TEXT: French text and English transl., U. S. T. S. No. 612; French, B. F. S. P. 105: 491-505; Hertslet 26: 72-86.

This convention aims at progressive suppression of the abuse of opium, morphine, cocaine, and other drugs prepared or derived from these, and seeks to accomplish this object by the following means:

(a) Enactment by the contracting States of efficacious laws or regulations to control the production and distribution of raw opium, as defined. (Art. 1.)

(b) Limitation of the number of towns, ports, or other places through which importation or exportation of raw opium shall be permitted. (Art. 2.)

(c) Prevention or control of exportations of raw opium to countries prohibiting or limiting its importation. (Art. 3.)

(d) Honest labeling of packages containing raw opium for exportation. (Art. 4.)

(e) Forbidding importation and exportation of raw opium, except through duly authorized persons. (Art. 5.)

(f) Specified measures to be taken by the contracting powers for suppression of the manufacture, distribution, and use of prepared opium (as defined), similar to those indicated above for raw opium. (Arts. 6-8.)

(g) The contracting powers agree to enact pharmacy laws and regulations, so as to limit the manufacture, sale, and use of morphine, cocaine, and heroin (as defined) to medical and legitimate uses only (Art. 9), and to adopt specified measures to control the manufacture, importation, exportation, and sale of these and similar specified drugs (Arts. 10-14, 20).

(h) The Chinese Government and the contracting powers having treaties with China agree to take measures to prevent smuggling of raw and prepared opium and similar specified drugs into or from

³¹ For French text of final protocol of third international opium conference of 1914, see Hertslet, 27: 484-9; B. F. S. P., 107: 341-5.

³² Not yet ratified.

China to or from Far Eastern colonies and leased territories in China. (Art. 15.)

(i) China agrees to promulgate pharmacy laws for its subjects, regulating the sale and distribution of morphine, cocaine, and similar specified drugs, and to communicate these laws to the powers having treaties with China. Said powers shall examine these laws, and if they find them acceptable, shall have them applied to their nationals in China. (Art. 16.)

(j) The contracting powers having treaties with China shall take effective measures to restrain and control the smoking of opium in opium dives, etc., also the sale of raw or prepared opium, in their leased territories, "settlements," and concessions in China (Arts. 17, 18); and to prohibit importation and distribution of opium and similar specified drugs through any post offices said powers may have in China (Art. 19).

(k) The contracting powers agree to communicate to each other through the Netherlands' Ministry for Foreign Affairs,³³ the text of their laws and regulations concerning matters aimed at by this convention, also statistical information respecting traffic in opium and similar specified drugs. (Art. 21.)

No. 500.

International wireless telegraph convention, and service regulations annexed thereto.

SIGNED 5 July, 1912, at London. Effective from 1 July, 1913, for indefinite period; but any State may withdraw on 12 months' notice. (Art. 22.) Both the convention and the regulations may be modified at any time by common consent. (Art. 11.) Supersedes the wireless telegraph convention signed at Berlin 3 Nov., 1906. Confirmed by the treaties of peace of 1919-20 with Austria (Art. 236), Bulgaria (Art. 164), Czechoslovakia (Art. 20), Germany (Art. 284), Hungary (Art. 219), Poland (Art. 19), and Turkey³⁴ (Art. 271).

CONTRACTING STATES.³⁵ Virtually all important countries of the world are parties to this convention. Any State may adhere on request, and provision is made for separate adherence or withdrawal of colonies, protectorates, etc. (Art. 16.) For long list of ratifications and accessions, see Hertslet 27:409-11; also L. N. T. S., 1:200-3.

³³ The control of the opium traffic through this convention is now in the hands of the League of Nations, which has appointed a committee for the purpose. For an official statement of the work of this committee, see Supp. to L. N. Bull., May, 1921:22-42.

³⁴ Not yet ratified.

³⁵ The delegation of the United States declared "that its Government is under the necessity of abstaining from all action with regard to rates, because the transmission of radiograms as well as of ordinary telegrams in the United States is carried on, wholly or in part, by commercial or private companies." (Final protocol, II.) Moreover, the ratification of the United States contains the reservation "that nothing in the ninth article of the regulations affixed to the convention shall be deemed to exclude the United States from the execution of her inspection laws upon vessels entering in or clearing from her ports."

In their respective treaties of peace, Austria, Bulgaria, Germany, Hungary, and Turkey are required to fulfill the provisional regulations which will be indicated to them by the Allied and Associated Powers, and agree to be bound by any new convention regulating international radiotelegraphic communications which may be concluded to replace this convention and the provisional regulations in force, even if they should refuse to take part in such new convention.

TEXT: French text and English transl., U. S. T. S. No. 581; L. N. T. S., 1:135-203; French, B. F. S. P. 105:219-60; Hertslet 27:374-411; English (transl.), United States Tr. III:185-222.

(a) The International Bureau of the Telegraphic Union, established at Berne, is charged with collecting, coordinating, and publishing information of every kind relating to radio-telegraphy, examining the applications for changes in the convention or regulations, promulgating the amendments adopted, and generally performing all administrative work referred to it in the interest of international radio-telegraphy. The expense is shared by the contracting countries. (Art. 13.)

(b) The contracting parties bind themselves to apply the provisions of this convention to all radio stations (coastal or on shipboard) established or worked by them and open to public service between the coast and vessels at sea; and further, to make the observance of these provisions obligatory upon private enterprises authorized either to establish or work wireless stations for public service between the coast and vessels at sea, or authorized to establish or work radio stations on board of vessels flying their flag. (Art. 1.)

(c) "Coastal stations" are those established on shore or on board a permanently moored vessel; "stations on shipboard" are those established on board any vessel not permanently moored. (Art. 2.)

(d) Coastal stations and stations on shipboard must exchange radiograms without distinction of the radio system adopted by them, except when a different system is employed in the interest of scientific progress (Art. 3), and except stations reserved for a limited public service under conditions named (Art. 4).

(e) The contracting States undertake to connect the coastal stations to the telegraph system by special wires, or to insure by other measures a rapid exchange between the two services (Art. 5); also to notify one another of the names of all radio stations established or worked under their respective jurisdictions, and of all data necessary to accelerate exchange of radiograms, as specified in the Regulations (Art. 6).

(f) Radio stations are bound to give absolutely priority to calls of distress from whatever source, to similarly answer such calls, and to take such action with regard thereto as may be required. (Arts. 9 and 15.)

(g) Charges for radiograms comprise rates for the different services named according to circumstances (Art. 10), the convention being supplemented by regulations, which are made a part thereof and have the same force (Art. 11).

(h) Each contracting State reserves to itself the right of fixing the terms for receiving or sending radiograms from or to any station not subject to this convention. (Art. 14.)

(i) The provisions of Articles 1 to 3, 5 to 8, 11, 12, and 17 of the international telegraph convention of 10 July, 1875, are made applicable to international radio-telegraphy. (Art. 17.)

(j) The contracting States bind themselves to propose to their respective legislatures the necessary measures for insuring execution of this convention (Art. 19), and to communicate to one another their respective laws relating to the objects thereof (Art. 20).

(k) The contracting States reserve entire liberty as regards radio installations other than provided for in Article 1, especially naval and military installations, and stations used for communications between fixed points; subject, however, to certain qualifications stated in detail. (Art. 21.)

(l) Very extensive and detailed service regulations are affixed to this convention. (Arts. I-L.)

No. 501.

Convention regarding uniform classification of international foreign trade statistics, and protocol relating thereto.

SIGNED 31 Dec., 1913, at Brussels. Effective from date of ratification for successive periods of seven years, subject to termination at the close of any seven-year period by notice given 12 months before. (Art. IX.) Confirmed by the treaties of peace of 1919-20 with Austria (Art. 240), Bulgaria (Art. 167), Germany (Art. 282), Hungary (Art. 223), and Turkey³⁶ (Art. 273).

CONTRACTING STATES. The following countries are parties to this convention: Austria, Belgium, Bolivia, Bulgaria, Chile, Colombia, Cuba, Denmark (and colonies), Dominican Republic, France, Germany, Great Britain, Guatemala, Haiti, Honduras, Hungary, Italy (and colonies), Japan, Mexico, Netherlands, Nicaragua, Norway, Paraguay, Peru, Persia, Portugal, Russia, Siam, Spain, Sweden, Switzerland, and Uruguay.

Other countries may accede at their request, such accession to become effective on 1 Jan. following notice thereof. (Art. VII.)

TEXT: French and Dutch, Staatsbl. 1914; No. 258.

(a) Each contracting State agrees, in addition to publishing statistics of imports and exports according to a classification suited to its own needs, to furnish annually to an International Bureau of Commercial Statistics, to be located at Brussels, reports on imports and exports in accordance with the international classification. (Arts. I-III and annexes thereto.)

(b) The International Statistical Bureau to be established at Brussels is charged with the collection, coordination, and publication of the statistical information, to be supplied by the contracting States (Regulations, Art. VII), in an official organ entitled Bulletin of International Bureau of Commercial Statistics (Art. IV), to be issued annually in the French language (Regulations, Arts. III, IV.)

(c) The international bureau is placed under the direction and supervision of the Belgian Government, its expenses being shared in stated proportions by the contracting countries (Art. V), which for

³⁶ Not yet ratified.

this purpose are divided into six classes according to the amount of their commerce. (Regulations, Art. X.)

(d) The budget of the bureau is fixed at approximately 35,000 francs yearly. (Regulations, Art. XI.) In case of dissolution, surplus funds are to be distributed among the contracting states in proportion to their respective contributions; but States withdrawing from the convention lose their right to a share in the common funds (Regulations, Arts. XIII, XIV.) Report to be sent each year to the contracting States regarding finances and operation of the bureau. (Regulations, Art. XVI.)

(e) The international classification ³⁷ of imports and exports (consisting of 186 groups) is annexed to the convention in the form of tables or schedules to be employed in reporting the foreign commerce of each country to the international bureau. (Various annexes.)

(f) The right is reserved of establishing a permanent international council to advise on questions concerning application of this convention. (Protocol.)

No. 502.

Convention revising the general act of Berlin, 26 Feb., 1885,³⁸ and the general act and declaration of Brussels, 2 July, 1890.³⁹

SIGNED ⁴⁰ 10 Sept., 1919, at Saint-Germain. Duration indefinite, subject to modifications after 10 years, as experience may have shown to be necessary. (Art. 15.) Abrogates the acts named in the title, and the declaration of 2 July, 1890, so far as binding between the parties to this convention, except as regards stipulations noted under I (a) below. (Art. 13.)

TEXT: French text and English transl., G. B. T. S. 1919, No. 18, Cmd. 477.

I. National and most-favored-nation treatment.

(a) In all the regions forming the basin of the Congo and its outlets, or watered by the Congo and its affluents (including Lake Tanganyika, with its eastern tributaries), and likewise in the adjacent zones specified in Article 1 of this convention, the contracting powers undertake to maintain between their respective nationals a complete commercial equality in the territories under their authority; it being expressly recognized, however, that, as regards territories belonging to an independent or sovereign State within the eastern zone specified, this principle of commercial freedom can apply only in so far as such independent State may consent. (Art. 1.)

³⁷ For a table showing the foreign commerce of the United States during the calendar year 1918, stated in the (English) terminology for these 186 groups, see Commerce Reports, 18 Oct., 1910: 365-72.

³⁸ French, B. F. S. P. 76: 4-20; Martens 60: 414-27.

³⁹ French, B. F. S. P. 82: 55-81; Martens 66: 3-29; French text and German transl., Martens 67: 345-96.

⁴⁰ Signed by the following Powers: America, United States of, Australia, Belgium, Canada, France, Great Britain, India, Italy, Japan, New Zealand, Portugal, and South Africa. (G. B. T. S. 1919, No. 18, cmd. 477.) Ratification is still pending.

(*b*) Merchandise belonging to nationals of the contracting powers shall have free access to the interior of the regions specified under I (*a*) above. No differential treatment shall be imposed upon the said merchandise on importation or exportation, and transit remains free from all duties, taxes, or dues, other than those collected for services rendered. (Art. 2.)

(*c*) Vessels flying the flag of any contracting power shall have free access to all the coast and to all maritime ports in the territories specified under I (*a*) above, and shall not be subject to any differential treatment. (Art. 2.)

(*d*) Each State reserves the right to dispose freely of its property and to grant concessions for the development of the natural resources of the territory, but no regulations on these matters shall admit of any differential treatment between the nationals of the contracting States. (Art. 4.)

(*e*) Subject to provisions of this convention, navigation of the Niger (its affluents, branches, and outlets) and of all the rivers (their affluents, branches, and outlets) and lakes within the territories specified under I (*a*) above, shall be entirely free for merchant vessels and for the transport of goods and passengers. Craft of every kind belonging to nationals of contracting States shall be treated in all respects on a footing of perfect equality. This applies also to roads, railways, or lateral canals constructed with the special object of obviating the innavigability or correcting the imperfections of the water route on certain sections of these rivers and lakes, including their affluents, branches, and outlets. (Arts. 5-7.)

Equal treatment of the nationals of all contracting parties within the region indicated under I (*a*) above is further expressly stipulated in regard to the following matters:

(*f*) All rights regarding protection of persons and effects, acquisition and transmission of movable and real property, and exercise of professions; subject only to limitations necessary for maintenance of public security and order. (Art. 3.)

(*g*) Any taxes or duties collected for service rendered to navigation. (Art. 6.)

(*h*) Any tolls collected on roads, railways, and canals for construction, maintenance, and management. (Art. 7.)

(*i*) Any regulations established by Governments exercising authority over rivers and lakes not necessarily utilized by more than one riverain State, as regards maintenance of public safety and order, and for other necessities of the work of civilization and colonization. (Art. 9.)

II. Other provisions of this convention relate to:

(*a*) Subject to provisions noted under I *b-c* above, the States concerned reserve to themselves complete liberty of action as to

customs and navigation regulations and tariffs to be applied in their territories. (Art. 2.)

(b) Navigation on rivers and lakes within the territories indicated under I *a* above shall not be subject to any restriction or dues based on the mere fact of navigation, and shall not be exposed to any obligation in regard to landing, station, or depot, or for breaking bulk, or compulsory entry into port. No maritime or river toll, based on the mere fact of navigation, shall be levied on vessels, nor shall any transit duty be levied on goods on board. (Art. 6.)

(c) Each contracting power remains free to establish rules which it may consider expedient to ensure safety and control of navigation, on the understanding that these rules shall facilitate, as far as possible, the circulation of merchant vessels. (Art. 8.)

(d) The contracting powers are obligated to maintain in the regions subject to their jurisdiction and authority a police force sufficient to ensure protection of persons and property and, if necessary, freedom of trade and of transit. (Art. 10.)

(e) Detailed stipulations concerning preservation of the native populations and supervision of their mental and material well-being; with special reference to complete suppression of slavery in all its forms, and of the slave trade by land and sea. Freedom of conscience and free exercise of all forms of religion are guaranteed to all nationals of States which may become parties to this convention, subject only to restrictions necessary for maintenance of public security and order, or resulting from enforcement of constitutional laws. (Art. 11.)

(f) Disputes relating to application of this convention shall be submitted to an arbitral tribunal in conformity with the covenant of the League of Nations. (Art. 12.)

No. 503.

Convention for control of the trade in arms and ammunition.

SIGNED ⁴¹ 10 Sept., 1919, at Paris. Duration indefinite. Abrogates all provisions of former ⁴² general international conventions relating to matters dealt with in this convention, so far as they are binding between parties to the latter. (Art. 25.)

CONTRACTING STATES. This convention has been ratified by the following countries: Brazil, Chile, China, Greece, Guatemala, Haiti, Peru, Siam, and Venezuela.

TEXT: French text and English transl., G. B. T. S. 1919, No. 12, Cmd. 414.

⁴¹ Signed by the following Powers: America, United States of, Australia, Belgium, Bolivia, Canada, China, Cuba, Czechoslovakia, Ecuador, France, Great Britain, Greece, Hedjaz, India, Italy, Japan, New Zealand, Nicaragua, Panama, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Siam, and South Africa (G. B. T. S. 1919, No. 12, cmd. 414.)

⁴² For texts (French) of the declaration of 2 July, 1890, and protocol of 22 July, 1908, and parties to these, see B. F. S. P., 82: 80-1; 101: 176-8; Martens, 67: 394-6; 87: 711-15.

I. Export of arms and ammunition.

(a) The contracting parties undertake to prohibit the export of the following arms of war: Artillery of all kinds, apparatus for discharge of all kinds of projectiles, explosive or gas-diffusing, flame throwers, bombs, grenades, machine guns, and rifled small-bore breech-loading weapons of all kinds, as well as the exportation of the ammunition for use with such arms. This prohibition of exportation applies to all such arms and ammunition, whether complete or in parts. (Art. 1.) Nevertheless, the contracting parties reserve the right to grant export licenses to meet the requirements of their respective governments, in respect of arms not prohibited by international law.

As regards firearms and ammunition adapted both to warlike and other purposes, the contracting parties reserve the right to determine, from the size, destination, and other circumstances of each shipment, for what use it is intended, and whether the provisions of this article are applicable thereto. (Art. 1.)

(b) The contracting parties undertake to prohibit exportation of firearms and ammunition, whether complete or in parts, other than arms and munitions of war, to the areas and zones specified below under II (a-c).

Nevertheless, the contracting parties reserve the right to grant licenses, to be issued only by their own authorities, for export and disposal of arms and munitions to destinations and for purposes not contrary to this convention. (Art. 2.) No licenses shall be issued for export to another country which refuses to accept the tutelage of the power under which it has been placed, or tries to obtain from any other power any of the arms and ammunition specified above under (a) and (b). (Art. 4.)

(c) A central international office, placed under control of the League of Nations, shall be established for the purpose of collecting and preserving documents of all kinds exchanged by the contracting parties with regard to trade in and distribution of the arms and ammunition specified in this convention. Annual reports shall be published by the contracting parties showing export licenses granted, and the quantities and destination of the arms and ammunition to which the export licenses referred. Copies of this report shall be sent to the central international office and to the secretary general of the League of Nations; also full statistical information as to quantities and destination of all arms and ammunition exported without licenses. (Art. 5.)

II. Import of arms and ammunition.—The contracting parties undertake, each as far as the territory under its jurisdiction is concerned, to prohibit the importation of the arms and ammunition specified above under I a and b into the territorial areas noted

below under II *a* and *b*; and also to prevent their importation and transportation in the maritime zone defined under II *c* below;

(*a*) The whole of the continent of Africa (including all islands within 100 nautical miles of the coast, and also St. Thomas, Annobon, Socotra, and Prince's Island), except Algeria, Libia, and the Union of South Africa. (Art. 6.)

(*b*) Transcaucasia, Persia, Gwadar, the Arabian Peninsula, and such continental parts of Asia as were included in the Turkish Empire on 4 Aug., 1914. (Art. 6.)

(*c*) A maritime zone, including the Red Sea, Gulf of Aden, Persian Gulf, Sea of Oman, and bounded by a line running as specified from Cape Guardafui to the eastern frontier of Persia in the Gulf of Oman. (Art. 6.)

(*d*) Special licenses may be issued for import of arms or ammunition into the areas indicated above under II *a-c*, but only at ports designated for this purpose by authorities of the State, colony, protectorate, or territory under mandate concerned, and subject to specified regulations as regards deposit of the imported arms, etc., in a public warehouse, and withdrawal therefrom, under the exclusive custody and permanent control of the authorities named. (Arts. 6, 7.)

(*e*) Detailed regulations designed to assure complete and exclusive control of arms and ammunition in the specified areas by the authorities named, with special reference to licensing and locking of warehouses, and withdrawal, transfer, transport, manufacture, assembling, and repair of arms, whether complete or in parts; also statement of procedure for establishing any violation of regulations or conditions named. (Arts. 8-10.)

III. Maritime supervision.—Very extensive and detailed provisions regarding maritime supervision and police measures designed to prevent all illicit conveyance of arms or ammunition within territorial waters in the prohibited areas specified under II *a-c*.

(Arts. 11-21.)

IV. General provisions.

(*a*) The contracting parties who exercise authority over territories within the prohibited areas agree to take, so far as each may be concerned, the measures required for the enforcement of this convention, particularly as regards prosecution and repression of offenses against its provisions, and to communicate these measures to the central office and to the secretary general of the League of Nations; and also to inform these offices of the competent authorities concerned in the execution of this convention. (Art. 22.)

(*b*) Any disputes relating to application of this convention which can not be settled by negotiation shall be submitted to an arbitral tribunal in conformity with the covenant of the League of Nations. (Art. 8.)

No. 504.

Convention relating to the liquor traffic in Africa.

SIGNED ⁴³ 10 Sept., 1919, at Saint-Germain. Duration indefinite. Abrogates all provisions of former ⁴⁴ general international conventions relating to matters dealt with in this convention, so far as they are binding between parties to the latter. (Art. II.)

TEXT: French text and English transl., G. B. T. S. 1919, No. 19, Cmd. 478.

I. Restriction of liquor traffic.

(a) The contracting parties undertake to apply specified measures noted hereunder for restriction of the liquor traffic in all parts of Africa now or hereafter subject to their control, including the islands lying within 100 nautical miles of the coast; but excepting Algeria, Tunis, Morocco, Libia, Egypt, and the Union of South Africa. (Art. 1.)

(b) Importation, distribution, sale, and possession of trade spirits of every kind, of beverages mixed with these spirits, and of distilled beverages containing essential oils or chemical products recognized as injurious to health (such as absinthe and other examples cited), are prohibited in the area described under *a* above. (Arts. 2-4.)

(c) An import duty of not less than 800 francs per hectoliter of pure alcohol shall be levied upon distilled beverages other than those indicated under Arts. 2 and 3, which are imported into the area referred to above under *a*, except that in the Italian colonies the duty may be not less than 600 francs. (Art. 4.)

(d) Manufacture of distilled beverages of every kind is forbidden in the area referred to above under *a*; also the importation, distribution, sale, and possession of stills and of all apparatus or parts thereof suitable for distillation of alcohol, and the rectification or redistillation of spirits are forbidden in the same area, subject to exceptions noted under II *e* below. (Art. 4.)

II. Exceptions.—The restrictions on importation, distribution, sale, possession, and manufacture of spirituous beverages do not apply to:

(a) Pharmaceutical alcohols required for medical, surgical, or pharmaceutical establishments. (Art. 6.)

(b) Testing stills used for laboratory experiments, which are not fitted with rectifying heads and the capacity of whose retort does not exceed one liter. (Art. 6.)

(c) Apparatus or parts thereof required for experiments in scientific institutions, or employed for purposes other than production of alcohol by qualified pharmacists or other persons who can

⁴³ Signed by the following Powers: America, United States of, Australia, Belgium, Canada, France, Great Britain, India, Italy, Japan, New Zealand, Portugal, and South Africa. (G. B. T. S. 1919, No. 19, p. 124.) Ratification is still pending.

⁴⁴ For text of the convention of 3 Nov., 1906, and the parties thereto, see French, Hertslet, 25: 6-11; English, United States Tr., II: 2205-8.

show good cause for possession of such apparatus or parts thereof. (Art. 6.)

(d) Apparatus necessary for manufacture of alcohol for commercial purposes, and employed by duly authorized persons. (Art. 6.)

(e) The provisions noted under I d above do not apply to the Italian colonies. Manufacture of distilled beverages specified will continue to be permitted in Italian colonies on condition that they are subject to an excise duty equal to the import duty named under I c above. (Art. 5.)

III. Central international office.—A central international office, under control of the League of Nations, shall be established for purposes named, designed to assure enforcement of this convention. Each contracting party shall publish an annual report showing quantities of spiritous beverages imported or manufactured, and the duties levied under Articles 4 and 5, as noted under I c and II e above. Copy of this report shall be sent to the central international office and to the secretary-general of the League of Nations. (Art. 7.)

IV. Arbitration.—Any disputes relating to application of this convention which can not be settled by negotiation shall be submitted to an arbitral tribunal in conformity with the covenant of the League of Nations. (Art. 8.)

No. 505.

Convention relating to international air navigation, and technical regulations annexed; also protocol additional thereto.

SIGNED ⁴⁵ 13 Oct., 1919, at Paris. Additional protocol signed there 1 May, 1920.⁴⁶ To come into force from date of ratification for indefinite term. (Art. 42.) Any State may withdraw on 12 months' notice given after 1 Jan., 1922. (Art. 45.) The extensive annexes (A-H) have the same effect and go into force at the same time as the convention itself. (Art. 40.)

States which did not take part in the World War may adhere to this convention on request. (Art. 43.) States which took part in the World War may adhere subject to conditions stated. (Art. 44.)

TEXT: English and French, U. S. 66th Cong., 1st sess., S. Doc. 91:1-117.

I. Air sovereignty.

(a) The contracting States recognize that every State has complete and exclusive sovereignty in the air space above its territory and territorial waters. (Art. 1.)

⁴⁵ Signed by the following Powers: America, United States of, Belgium, Bolivia, Brazil, British Empire, China, Cuba, Czechoslovakia, Ecuador, France, Greece, Guatemala, Italy, Japan, Panama, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Siam, and Uruguay.

The same parties signed the additional protocol of 1 May, 1920, except Brazil and Guatemala. Brazil has acceded to the additional protocol, and Nicaragua and Peru to both the convention and protocol. Ratification of both the convention and the protocol is still pending.

The British Dominions and India are deemed to be States for the purposes of this convention. Protectorates or territories administered by the League of Nations or placed under its control are, for the purposes of this convention, deemed to form part of the protecting or mandatory States (Art. 41).

⁴⁶ English, State Department dispatch No. 1140, Paris, 28 Apr., 1920.

(b) Each contracting State undertakes in time of peace to accord freedom of innocent passage above its territory and territorial waters (including those of its colonies) to the aircraft of the other contracting States, subject to observance of conditions established by this convention. (Art. 2.)

(c) No contracting State shall, except by a special and temporary authorization, permit the flight above its territory of an aircraft which does not possess the nationality of a contracting State. (Art. 5.)

(d) Every aircraft of a contracting State has the right to cross another State without landing, but must follow the route fixed by the latter, and must land if ordered to do so. (Art. 15.)

(e) The establishment of international airways shall be subject to the consent of the States flown over. (Art. 15.)

(f) Each contracting State has the right to reserve to its national aircraft the carriage of persons and goods for hire between two points in its own territory. (Art. 16.) But if a State makes use of this right, its aircraft may be subjected to the same restrictions in any other contracting State, even though the latter does not itself impose these restrictions on other foreign aircraft. (Art. 17.)

(g) Neither the flight of a military aircraft of a contracting State over the territory of another nor its landing upon such territory shall be permitted without special authorization. (Art. 33.)

II. National treatment is assured in each of the contracting States to the aircraft of all the others with regard to the following matters:

(a) All regulations made by a contracting State concerning admission over its territory of the aircraft of other contracting States must be applied without distinction of nationality. (Art. 2.)

(b) A contracting State may, for military reasons or in the interest of public safety, prohibit the aircraft of other contracting States from flying over certain areas of its territory, under penalties provided by its legislation; subject to no distinction being made in this respect between its private aircraft and those of the other contracting States. (Art. 3.)

(c) Aircraft of the contracting States are entitled to the same measures of assistance for landing as national aircraft. (Art. 24.)

(d) Every aerodrome in a contracting State, which upon payment of charges is open to public use by its national aircraft, shall likewise be open to the aircraft of all the other contracting States. In every such aerodrome there shall be a single tariff of charges for landing and length of stay applicable alike to national and foreign aircraft. (Art. 25.)

(e) Any restrictions imposed by a contracting State regarding carriage of objects by aircraft must be applied equally to national

and foreign aircraft (Art. 30); except carriage of explosives and of arms and munitions of war, which is forbidden in international navigation (Art. 27); and except the right of each State to prohibit or regulate the carriage or use of photographic apparatus (Art. 28).

III. Other provisions.

(a) A permanent commission is set up, under the name of "International Commission for Air Navigation," as part of the organization of the League of Nations. Composition and functions of this commission are described in detail. (Art. 35.)

(b) General provisions relative to customs in connection with international air navigation are the subject of a special agreement contained in Annex H to this convention. (Art. 37.)

(c) The contracting States are free to conclude special protocols, in conformity with the principles of this convention, in respect of customs, police posts, and other matters of common interest in connection with air navigation. (Art. 37.)

(d) In case of war, this convention does not affect the freedom of action of the contracting States either as belligerents or as neutrals. (Art. 39.)

(e) Detailed and extensive provisions concerning nationality of aircraft (Arts. 5-10); certificates of airworthiness and competency (Arts 11-14); admission to air navigation above foreign territory (Arts. 15-18); rules to be observed on departure, on landing, and when under way (Arts 19-26); prohibited transport (Arts 27-30); State aircraft as distinguished from private aircraft (Arts. 31-34); international commission for air navigation (Art. 35); and arbitration of disputes regarding interpretation of this convention or of technical regulations annexed thereto (Art 38).

(f) Extensive and detailed technical regulations concerning the marking of aircraft (Annex A); certificates of airworthiness (Annex B); log books (Annex C); rules for lights and signals, and rules of the air (Annex D); minimum qualifications necessary for obtaining certificates as pilots and navigators (Annex E); international aeronautical maps and ground markings (Annex F); and provisions relating to customs in connection with international air navigation (Annex H).

No. 506.

League of Nations.

The League of Nations was created by the covenant constituting Part I of the treaty of Versailles of 28 June, 1919, and of the treaty of St. Germain of 10 Sept., 1919.

For an official statement concerning the organization of the league and a summary of its work see Supp. to the Monthly Summary of the League, May, 1921, and later issues of the Monthly Summary to date.

CONTRACTING STATES: The following States are members of the League of Nations: Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil,

British Empire, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Esthonia, Finland, France, Greece, Guatemala, Haiti, Hedjaz, India, Italy, Japan, Latvia, Liberia, Lithuania, Luxemburg, Netherlands, New Zealand, Norway, Panama, Paraguay, Persia, Peru, Poland, Portugal, Rumania, Salvador, Serb-Croat-Slovene State, Siam, South Africa, Spain, Sweden, Switzerland, Uruguay, and Venezuela (L. N. O. J., July-Aug., 1920: 299-300; and Jan.-Feb., 1921: 96-98.) (See also N. Y. Times, 23 Sept., 1921: 17.)

TEXT: English and French (both authentic) of the covenant of the League of Nations, U. S. 66th Cong., 1st sess., S. Doc. No. 85; G. B. T. S. 1919, No. 4, Cmd. 153; also published separately by the League of Nations and elsewhere.

I. Accessory organizations of the league.—These consist chiefly of commissions and organizations of various kinds to deal especially with certain classes of questions for which provision is made in the treaties of peace, such as:

- (a) International Labor Office. (See below, No. 507.)
- (b) Permanent Court of International Justice. (See below, No. 508.)
- (c) Military, Naval, and Air Commission, and the Problem of Armaments.
- (d) Armaments Commission.
- (e) Supervision of the Traffic in Arms. The International Bureau established at Brussels to supervise the traffic in arms has been attached to the League of Nations.
- (f) Blockade Commission.
- (g) Mandates Commission.
- (h) Advisory Economic and Financial Commission.
- (i) Advisory Commission for Communications and Transit.
- (j) Health Organization.

II. Political activities of the league.

- (a) Free city of Danzig.
- (b) The Saar Basin.
- (c) Eupen and Malmedy.

III. Activities concerning peace and justice.

- (a) Dispute between Lithuania and Poland.
- (b) The question of the Aaland Islands.
- (c) Protection of Armenia.
- (d) Protection of minorities (religious, linguistic, and racial), provided for by special clauses of the treaties of peace under the guarantee of the League of Nations.

IV. Humanitarian activities.

- (a) Campaign against typhus in Poland.
- (b) Repatriation of prisoners of war.
- (c) Opium traffic. The control of this traffic, which under the Hague Convention (see No. 499 in this volume) had been intrusted to Holland, is now in the hands of the League of Nations.
- (d) Traffic in women and children.

V. Official publications.—For list of publications issued by the League of Nations, see catalogue published by the league, May, 1921, and periodic revisions to date.

No. 507.

International Labor Organization.

The International Labor Organization was created by Part XIII of the treaty of Versailles of 28 June, 1919, and of the treaty of St. Germain of 10 Sept., 1919, and is a part of the organization of the League of Nations, although possessing its own constitution and a far larger measure of autonomy than any other institution attached to the league.

The International Labor Office prepares labor conventions with the assistance of the delegates of the Governments, of the employers' organizations, and of the workmen's organizations. These conventions must then be ratified by the different legislatures.

For an official statement of the organization and development of the International Labor Organizations, see *Int. Labor Rev.*, 1:5-40.

CONTRACTING STATES: The following countries are members of the International Labor Organization: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, British Empire, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Ecuador, France, Germany, Greece, Guatamala, Haiti, Hedjaz, Honduras, India, Italy, Japan, Liberia Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Persia, Peru, Poland, Portugal, Rumania, Salvador, Serb-Croat-Slovene State, Siam, South Africa, Spain, Sweden, Switzerland, Uruguay, and Venezuela (*Int. Labor Office, Constitution and Rules, 1920:31.*)

TEXT:

(a) Constitution of International Labor Organization: English and French (both authentic), Part XIII of the treaty of Versailles of 28 June, 1919, and of the treaty of St. Germain of 10 Sept., 1919. Also *Int. Labor Office, Constitution and Rules, 1920.*

(b) Draft conventions and recommendations of First Annual Conference (Washington, 1919): English and French (both authentic), *Int. Labor Conference, Washington, 1919.*

(c) Draft conventions and recommendations of the Second Annual Conference (Genoa, 1920): English and French (both authentic), *Parl. Papers, 1921, Cmd. 1174.*

I. Constitutional provisions.—The constitution of the International Labor Organization is identical with Part XIII (Labor) of the peace treaties cited above. Article 19 of this constitution (Art. 405 of the treaty of Versailles) contains the following provision:

When the (International Labor) conference has decided on the adoption of proposals with regard to an item in the agenda, it will rest with the conference to determine whether these proposals should take the form (a) of a recommendation to be submitted to members for consideration with a view to effect being given to it by national legislation or otherwise, or (b) of a draft international convention for ratification by the members.

Moreover, each of the members undertakes that it will, at the earliest practicable moment and in no case later than 18 months from the closing of the session of the conference, bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.

If on a recommendation no legislation or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the member. (Ibid., Art. 19.)

II. Draft conventions and recommendations.—The following draft conventions and recommendations have been adopted by the annual conferences for ratification by the members of the International Labor Organization:

A. First Annual Conference, Washington, 29 October–29 November, 1919:

1. Draft convention limiting the hours of work in industrial undertakings to 8 in the day and 48 in the week.

2. Draft convention concerning unemployment.

3. Draft convention concerning employment of women before and after childbirth.

4. Draft convention concerning employment of women during the night.

5. Draft convention fixing the minimum age for admission of children to industrial employment.

6. Draft convention concerning the night work of young persons employed in industry.

7. Recommendation concerning unemployment.

8. Recommendation concerning reciprocity of treatment of foreign workers.

9. Recommendation concerning the prevention of anthrax.

10. Recommendation concerning the protection of women and children against lead poisoning.

11. Recommendation concerning the establishment of Government health services.

12. Recommendation concerning the application of the Berne Convention of 1906 ⁴⁷ on the prohibition of the use of white phosphorus in the manufacture of matches.

B. Second Annual Conference, Genoa, 15 June–10 July, 1920:

1. Draft convention fixing the minimum age for admission of children to employment at sea.

2. Draft convention concerning unemployment indemnity in case of loss or foundering of the ship.

3. Draft convention for establishing facilities for finding employment for seamen.

4. Recommendation concerning the limitation of hours of work in the fishing industry.

5. Recommendation concerning the limitation of hours of work in inland navigation.

⁴⁷ For digest and list of States which are parties to this convention, see No. 483 in this volume.

6. Recommendation concerning the establishment of national seamen's codes.

7. Recommendation concerning unemployment insurance for seamen.

III. Ratification of draft conventions.—For ratification of draft conventions by different countries, and labor legislation arising out of the International Labor Conferences, see Int. Labor Office, O. Bull., IV: 7-18, and succeeding issues to date.

IV. Publications.—For a list of publications of the International Labor Office, see catalogue published by the office May, 1921, at Geneva. The weekly official bulletin records the internal work of the organization, publishes the decisions of the governing body, together with notices, circulars, and official correspondence, and gives the progress of national legislation intended to make effective the international draft conventions (Int. Labor Rev., 1:3).

No. 508.

Protocol establishing the Permanent Court of International Justice.

SIGNED 16 Dec., 1920, at Geneva. By this protocol the contracting States declare their acceptance of the adjoined statute of the Permanent Court of International Justice, and that they accept the jurisdiction of the court in accordance with the terms and subject to the conditions of that statute. The protocol is subject to ratification, and shall remain open for signature by the members of the League of Nations and by the States mentioned in the annex to the covenant of the league.

CONTRACTING STATES: Ratification by a majority of the States, members of the League of Nations, was required before this court could be established, and this condition has been fulfilled by deposits of the ratifications of the following States: Albania, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Denmark, France, Greece, Haiti, Holland, India, Italy, Japan, New Zealand, Norway, Poland, Rumania, Serb-Croat-Slovene State, South Africa, Spain, Sweden, Switzerland, United Kingdom, and Uruguay. (L.N.M.S., 1 Sept., 1921: 79.)

TEXT: English and French (both authentic) Parl. Papers, 1921, Cd. 1276.

This statute establishes the Permanent Court of International Justice provided for by article 14 of the covenant of the League of Nations, which shall be in addition to the court of arbitration organized by The Hague Conventions of 1899 and 1907, and to the special tribunals of arbitration to which States are always at liberty to submit their disputes for settlement (Art. 1). Article 14 of the covenant provides that the court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it, and that it may also give an advisory opinion upon any dispute or question referred to it by the council or by the assembly of the league.

The statute deals specifically and extensively with the establishment and organization of the court ⁴⁸ (Arts. 1-33), with its competence (Arts. 34-8), and with its procedure (Arts. 39-64).

⁴⁸ For list of the first judges and deputy judges of the Permanent Court of International Justice, whose election was declared 14 Sept., 1921, see Int. Labor Office, O. Bull., IV: 19.

No. 509.

Treaty creating the Federation of Central America.

SIGNED 10 Jan., 1921, by Costa Rica, Guatemala, Honduras, and Salvador, at San Jose, Costa Rica. Effective from 9 Apr., 1921 (Art. 18). Duration perpetual (Art. 1).

CONTRACTING STATES. The following signatories have ratified the treaty: Guatemala, Honduras, and Salvador.

TEXT: Spanish, *El Guatemalteco* XCVIII:353-6 (13 Apr., 1921); English (transl.), *Cur. Hist.* XIV:154-7.

(a) The Republics of Guatemala, Honduras, and Salvador join in a perpetual and indissoluble union, and will henceforth constitute a sovereign and independent nation under the name Federation of Central America. (Art. 1.)

(b) The contracting States accept then and there as the supreme law the constitution⁴⁹ which may be framed by the Constituent National Assembly in accordance with the stipulations of this treaty. (Art. 2.)

(c) The constitutions of the contracting States will remain in force in so far as they do not conflict with the provisions of the Federal constitution. (Art. 3.)

(d) So long as the Federal Government through diplomatic action shall not have obtained the modification, denunciation, or substitution of the treaties in force between the States of the Federation and foreign nations, each State shall respect and continue faithfully to observe the treaties which bind it to any one foreign nation or more to the full extent implied in the existing agreements. (Art. 4.)

(e) This treaty to be final and binding among the contracting States when ratified by three of the signatories. The State which may not ratify the treaty may join the Federation at any time without other formality than the presenting of a law approving this treaty, the Federal constitution, and constituent laws. (Art. 18.)

(f) Extensive and detailed provisions concerning procedure to be followed by the Constituent National Assembly in framing the Federal constitution, and in the establishment and organization of the Federal Government. (Art. 5-21.)

⁴⁹ The Federal constitution was signed 9 Sept., 1921 (Spanish, *Boletín del Consejo Federal*, 15 Sept., 1921; also *El Guatemalteco*, 29 Sept., 1921. See also *Diario del Centro-América*, 24 Sept., 1921.)

NEGOTIATION AND OPERATION OF TREATIES.

HISTORICAL DEVELOPMENT OF TREATIES.

Even before a law of nations in the modern sense was in existence, treaties used to be concluded between States. Among the oldest still in force are those of Great Britain with Spain and with Sweden, dating from about the middle of the seventeenth century. Until near the close of the eighteenth century, international treaties dealt chiefly with matters relating to peace and war, and even well into the nineteenth century they were still largely concerned with subjects of no immediate commercial interest. But the changes resulting from the numerous inventions of the last century created new bonds of union and a greatly intensified intercourse between civilized nations. Accordingly, beginning about the middle of the nineteenth century, the objects and instruments of commerce and of transportation and communication between nations became dominant subjects in international treaties. The network of railways which, uninterrupted by national boundaries, covers the continents; the telegraph (by wire, cable, or wireless) which brings the most distant regions into instantaneous communication; the wide diffusion of information by means of newspapers; and the steamships which rapidly traverse the ocean in every direction: these and other factors have called into existence a world-wide commerce and a consciousness of common interests and mutual interdependence of altogether unprecedented extent and intensity. Science, literature, and art, no longer confined within the boundaries of separate States, have become the property of the whole human race. Even the former perpetual enmity between Christian and non-Christian peoples is disappearing, so that international law no longer governs the relations of European States alone, but is recognized as the public law of the whole civilized world.¹

How closely, indeed, the interests of all nations and States are now interknitted, calling for international regulation, was forcefully illustrated by the calamitous world war, which interfered almost as much with the welfare of neutrals as with that of belligerents.²

Scope and Function of Treaties.—Hand in hand with the increasing complexity and intimacy of relations between different peoples we find a corresponding extension of the scope and variety of regulative devices to protect the rights and interests of nations and individuals participating in commercial and industrial developments on an international scale. Accordingly, international treaties exist nowadays in great variety and for innumerable purposes. As indicating the broad scope of this branch of international law and comity, an American authority writing in 1906 estimated that the treaties of the United States with other nations then in force exceeded 300 in number, and that those in force between the various nations of the earth were not less than 8,000.³ This number has since been considerably increased.

¹ Satow, II: 361-2.

² Oppenheim, *League of Nations*: 12.

³ Foster: 244.

An examination of these international compacts shows that their scope is as wide and diversified as human activities and interests. Whatever can be an object of national activity can also be an object of international treaties. The whole field of political, legal, economic, intellectual, physical, social, religious, and even esthetic interests of nations is within the scope of international treaties. In other words, all the interests which in civilized countries are regulated and protected by municipal or national law, may in the relations between nations fall within the scope of international law, plus the interests of a specifically international character.⁴

Moreover, as intercourse between nations becomes more extensive and more intimate, the rights, interests, and obligations calling for international regulation are constantly increasing. Consequently, not only is the scope of international engagements growing continually wider, but the regulation of international interests in the different countries is growing more uniform. This tendency to uniformity is strongest in the laws regulating matters of commerce and intercourse between nations, and international treaties are the instruments and the form by which local divergencies are gradually abolished and increasing uniformity attained. Treaties, therefore, even in their existing imperfect form, represent the highest development of international law.⁵

Treaties as Sources of International Law.—Not only are treaties the most extensive and most important branch of international law, they are also its most prolific source and the most effective means for realizing uniformity of laws in matters of international interest. In the absence of a central authority competent to legislate for the community of nations as legislatures make law by statutes within the States, the only way in which international law can be made by a deliberate act, as distinguished from custom or force, is that members of the family of nations conclude treaties in which certain rules for their future conduct are stipulated. In other words, until there is a permanent organ empowered to legislate for the different nations, international law can be **made only** by contracts, not by legislation. As national statute law is created by parliaments or legislatures, so international written law is created by the law-making treaties of the powers.⁶

Of course, treaties create law for the contracting parties solely. Their law can become universal only if all the members of the family of nations are parties to it or tacitly consent thereto. Many law-making treaties, however, contain general international law, because the majority of States, including leading powers, are parties to them. Moreover, general international law continually tends to become universal, because States not originally consenting thereto often do so later, either by formally acceding to the compact or by express consent or by tacit recognition of its rules through the force of custom.⁷

Bilateral and Multilateral Treaties.—Commercial treaties are made for the guarding of commercial or other nonpolitical interests of States. Many such interests depend on special conditions and particular circumstances, calling for separate or bilateral treaties between single nations. By far the most numerous international treaties—say 99 per cent—belong to this class. But there are also nonpolitical interests common to all or to many nations, and these can better be fostered by a general treaty or union between many countries than by separate treaties concluded by individual States. During the second half of the 19th century such general or multilateral treaties have been concluded more

⁴ Nippold : 272.

⁵ Ibid. : 281-2.

⁶ Oppenheim, *League of Nations* : 42-3.

⁷ Oppenheim, *Int. Law*, I : 23-4.

and more, and doubtless will become more numerous still as the nations are drawn ever closer together by common interests. Multilateral treaties often create a union⁸ among the contracting parties, although this term is not always employed.

International Conferences or Congresses.—As a matter of international law, there is no essential difference between congresses and conferences. Both are meetings of plenipotentiaries for a discussion and settlement of international affairs, though conferences have a less formal character than congresses. Sometimes, but not always, the members are furnished with special full powers.⁹

ANTECEDENT CONDITIONS OF VALIDITY OF INTERNATIONAL CONTRACTS.

International Treaties and Private Contracts.—Treaties or conventions are contracts between States and are comparable in many ways to contracts between private individuals. Thus it is essential to the validity of treaties that the contracting parties have power over the subject matter, that consent be reciprocally and regularly given, and that the object of the treaty be possible and lawful under the accepted principles of international law.¹⁰

Contracting Capacity of States.—The treaty-making power is a competence attaching to sovereignty. A State therefore possesses this power only in so far as it is sovereign, and it depends upon the special case whether and in what degree half- and part-sovereign States are competent to conclude treaties with other States. There is no hard and fast rule in the matter. The nature of the bond uniting members of a confederation or union of States, or joining protected or subordinate States to a superior, implies certain restrictions regarding their foreign relations, which may withhold, limit, or entirely annul their power to make treaties with other States.¹¹ Thus by the Constitution of the United States the States of the Union are forbidden, absolutely, to enter into any treaty, alliance, or confederation, and, without the consent of Congress, to enter into any agreement or compact with another State or with a foreign power. (Art. I. sec. 10.)

Even though constitutionally competent to negotiate treaties with other nations, a State may be restricted by international compact regarding its freedom of action in matters of commercial policy or in regard to its political relations. Thus the general act of the Berlin Congo conference of 26 February, 1885, requires all powers having possessions in the Congo district to grant complete freedom of commerce to all nations. (B. F. S. P. 76: 8-10.) Again, by the treaty of 22 May, 1903, between the United States and Cuba it is stipulated that Cuba "shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes, or otherwise, lodgment in or control over any portion of said island." (Art. I.)

⁸ For extended discussions of international unions, see Reinsch and works there cited.

⁹ For description of procedure to be followed at congresses and conferences, with lists of the most important congresses since the middle of the seventeenth century, and of conferences held during the nineteenth and twentieth centuries, see Satow II: 1-171.

¹⁰ Crandall, sec. 4.

¹¹ Hall, sec. 108; Oppenheim, *Int. Law*, I: 578; Crandall, sec. 2. For a full discussion of the extent and limitations of the treaty-making power as vested in the United States Federal Government, see Crandall, sec. 110; Moore, V, sec. 736; and authorities there cited.

Contracting Agencies of States.—The treaty-making power of all States is exercised by their heads, either personally or through representatives appointed by these heads, the actual contracting agent being usually the foreign minister (chancellor, minister of foreign affairs, secretary of state or grand vizier), or whatever his particular title in different countries. But the organization and powers of the agencies through which States enter into treaties are defined by their fundamental laws or constitutions, and the power may be wholly or partly vested in congress, parliament, or other national assembly.¹² Accordingly, to know the powers of the agent with whom negotiations are conducted requires a knowledge not only of his special mandate and powers (the exhibition of which may always be demanded before the opening of negotiations), but also a knowledge of the fundamental law or constitution of the State he professes to represent and of any limitations which may result from incomplete sovereignty.¹³

Meaning of Sovereignty.—There has never been unanimity in regard to the meaning of sovereignty as defined in positive terms. It of course does not mean absolutely boundless liberty of a State to do what it likes without any restrictions whatever, but it is a principle of international law that sovereign States are restricted only by self-limitations, or by such as result from a recognition of like powers in others.¹⁴ A distinction must be drawn between sovereignty of the State and sovereignty of the agents who exercise the sovereign powers of the State. According to the modern view sovereignty is a natural attribute of every independent State as a State, and neither the monarch nor parliament nor the people can possess any sovereignty of their own; their sovereignty deriving from the sovereignty of the State which is governed by them.¹⁵

Constitutional Restrictions on Heads of States.—Restrictions upon the heads of States play a prominent part in the constitutions of most countries. Thus the President of the United States is given power under the Constitution to make treaties "by and with the advice and consent of the Senate, providing two-thirds of the Senators present concur." (Art. II, sec. 2.)

In France, according to Article VIII of the French constitution, treaties concerning commerce, finance, and certain other matters are not valid without the cooperation of the French Parliament.

Under the constitution of the German Republic, made effective by executive order on 11 August, 1919, "the national President represents the commonwealth in matters of international law. He concludes, in the name of the commonwealth, alliances and other treaties with foreign powers * * *. Alliances and treaties with foreign States relating to subjects within the jurisdiction of the commonwealth require the consent of the National Assembly." (Art. 45.) Even under the constitution of the former German Empire, treaties concerning the frontier, commerce, and other specified matters could have no validity without the cooperation of the Bundesrath and the Reichstag. (Arts. I, IV, and XI.)

In England, where the power to conclude treaties is a prerogative of the Crown, this power is exercised subject to the collective responsibility of the cabinet through one of the principal secretaries of state, to whom is entrusted the business of communicating with the representatives of foreign States in Great Britain, and with England's representatives in other communities.¹⁶

¹² Westlake: 290; Crandall, secs. 1, 2.

¹³ Crandall, sec. 3.

¹⁴ Ibid., sec. 2.

¹⁵ Oppenheim, *League of Nations*: 76-7.

¹⁶ Anson, Pt. II: 97.

On the question of what treaties must be submitted to the British Parliament before ratification, Prime Minister Balfour made the following statement with reference to the agreement of 8 April, 1904, between England and France respecting Egypt and Morocco: "I understand that, according to the French constitutional usage, the agreement must be submitted to their chamber before final ratification * * *. That is not the constitutional practice in this country. In any case, there can be no cession of any territory of His Majesty without the consent of Parliament * * *. There are also provisions in the treaty which require the voting of money by Parliament. Parliament must be consulted on both those points. But on other parts of the treaty Parliament need not be consulted, though I think it is desirable that the House should have an opportunity of discussing so important an international instrument."¹⁷

Freedom of Consent.—Mutual consent is essential to the validity of treaties as in private contracts. But consent must be expressed; a treaty can not be concluded by tacit consent. Moreover, in international contracts consent is considered to be freely given, notwithstanding that it may have been obtained by force. In the words of an eminent English authority, "International law regards all compacts as valid, notwithstanding the use of force or intimidation, which do not destroy the independence of the State which has been obliged to enter into them. * * *. In international law, force and intimidation are permitted means of obtaining redress for wrongs, and it is impossible to look upon permitted means as vitiating the agreement, made in consequence of their use, by which redress is provided for."¹⁸ A State can not, therefore, without breach of law, ignore or repudiate a treaty made under stress of circumstances. The obligation of such treaties has been compared with private contracts made to avoid or stop litigation, which are binding upon a party consenting only from fear of expense and the uncertain issue of a lawsuit.¹⁹

But violence or intimidation used against the person of a negotiator invested with power to bind his State would make the treaty invalid, because all contracts are void which are made under the influence of personal fear. A treaty concluded by intimidated or intoxicated, or insane representatives is not binding upon the State so represented; nor is a treaty binding to which consent was given in error, or by fraud of the other party.

Conformity to International Law.—All agreements at variance with accepted and settled principles of international law and their undisputed applications are invalid, or at least voidable. The object of a treaty is always an obligation, whether mutual between all the parties, or unilateral on the part of only one. But the law of nations prohibits some obligations from becoming objects of treaties, and compacts comprising obligations of this kind are null and void from the beginning. Thus a treaty stipulating an obligation to be performed by a third State which is not a party to the treaty would be null and void. Again, obligations inconsistent with undertakings under treaties previously concluded between the parties can not become the object of a valid treaty with a third State. Similarly, an agreement asserting proprietary rights over the ocean would be invalid, because the freedom of the open seas from appropriation is an established principle of international law.

Other possible objects of treaties are forbidden on moral grounds. Thus an alliance to attack a third State without provocation, or for its partition or subjugation, would be invalid; as would a convention to establish a slave trade,

¹⁷ Parl. Debates, CXXXIII: 207 and 210. For an extended critical discussion of the making and enforcement of treaties in Great Britain, France, and other foreign States, see Crandall, secs. 115-154, and the numerous authorities there cited.

¹⁸ Hall, sec. 108.

¹⁹ Hall, sec. 108; Moore, V. sec. 742.

because the personal freedom of human beings has been admitted by modern civilized States as a right which they ought to uphold internationally.

NEGOTIATION, CONCLUSION, RATIFICATION, AND PROCLAMATION OF TREATIES.

As it is seldom practicable for the treaty-making organs of different States to meet in conference, international compacts are regularly negotiated by agents specially appointed for the purpose. The parties to the negotiation of a treaty are usually the secretary of state or minister for foreign affairs, and the resident ambassador or minister of the country concerned. The diplomatic agent to whom the particular negotiation is entrusted, whether for the conclusion of a treaty or convention, or for taking part in a congress or conference, requires as a general rule a special written authorization called a "full power," from the head of the State which he represents, whether President, King, or Emperor.

Full Powers of Negotiators.—Representatives to negotiate a treaty must be clothed with what are termed "full powers," and they also receive oral or written, open or secret instructions. Even ambassadors and ministers, although supposed to represent the person of their own sovereign and sent abroad with credentials which are termed extraordinary and plenipotentiary, do not ordinarily make a treaty without special "full powers" for the particular negotiation they have in hand; and the same disability rests upon the secretary of state or minister of foreign affairs, who must have special credentials for each treaty negotiated.²⁰ These precautions indicate the great care and precision exacted by Governments in treaty negotiations.

In the United States the exclusive power of communication with foreign States is entrusted to the President, and with him rests the right of determining finally on all negotiations to be conducted with foreign powers. Although such negotiations are regularly conducted through the Secretary of State, in legal contemplation they originate with the President, and it is by virtue of special powers by him conferred that treaties are signed and ratifications exchanged.²¹

Following is a specimen form employed by the President of the United States conveying full power to sign a treaty:²²

(Name of President.)

President of the United States of America.

To all to whom these presents shall come, greeting:

Know ye that, reposing special trust and confidence in the integrity, prudence, and ability of (here insert name and title of plenipotentiary), I have invested him with full and all manner of power and authority for and in the name of the United States to meet and confer with any person or persons duly authorized by the Government of (name of other contracting State), being invested with like power and authority, and with him or them to negotiate, conclude, and sign (here describe nature of contemplated compact), the same to be transmitted to the President of the United States for his ratification, by and with the advice and consent of the Senate thereof.

²⁰ Foster : 243-8.

²¹ Crandall, sec. 47; Foster : 248.

²² For other typical specimens of credentials, full powers, etc., issued by different countries to ambassadors, envoys, and ministers, see Satow, 1: 100-18.

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

[SEAL.] Given under my hand (insert place and date).

(Signature of President.)

(Countersigned by Secretary of State.)

When representatives are sent to a conference or commissioners are sent to meet like commissioners they are not provided with credentials to the head of the State, but are given full powers, which are exhibited at the first assembling and passed under critical scrutiny.²³

"In case of urgent need a written international compact between a diplomatic representative of the United States and a foreign Government may be made in the absence of specific instructions or powers. In such case it is preferable to give to the instrument the form of a simple protocol, and it should be expressly stated in the instrument that it is signed subject to the approval of the signer's Government."²⁴

Need of Ratification Implied.—Notwithstanding that plenipotentiaries are thus formally invested with full powers to conduct and conclude negotiations on behalf of their Government, treaties negotiated by them are subject to ratification by the treaty-making organs of the State, even without express reservation to that effect made in the treaty or in the full powers, the right of ratification being now by the practice of nations read into the full powers of the negotiators.

"A treaty or convention always needs ratification by the contracting authorities of the parties, whether, as is now usual, that necessity is expressly reserved in the treaty or not."²⁵

Ratification Essential to Validity.

"Except when an international contract is personally concluded by a sovereign or other person exercising the sole treaty-making power in a state, or when it is made in virtue of a power incidental to an official station and within the limits of that power, tacit or express ratification by the supreme treaty-making power of the State is necessary to its validity."²⁶ It is now the practice to make an express reservation of the right of ratification either in the "full powers" given to the negotiators, or in the treaty itself. But such a reservation has no legal value, because it does not enlarge the rights which a State already possesses in law.²⁷

Nor is the necessity for ratification confined to formal treaties or conventions. "If any form of international agreement can be imagined in which, or as a preliminary to which, the assent of the highest contracting authorities has not been assured, it will require, like a treaty, to be ratified in some manner by their subsequent assent."²⁸

Express Waiver of Ratification.—Although it is a universally recognized customary rule of international law that treaties are regularly in need of ratification, even if the latter was not expressly stipulated, there are some exceptions to the rule. Occasionally representatives of States conclude treaties expressly stipulating that the engagements shall be effective from signature without ratification. But even in such cases the operation of the treaty is provisional and subject to the final ratification of the parties; and, in cases of

²³ Foster: 248.

²⁴ Instructions to Diplomatic Officers of the United States, 1897, sec. 243.

²⁵ Westlake: 290; Crandall, secs. 3 and 155.

²⁶ Hall, sec. 110. Compare Oppenheim, Int. Law, I: 554.

²⁷ Hall, sec. 110.

²⁸ Westlake: 293. See also Crandall, sec. 6, and Satow, II: 253-4.

rejection, acts by either party done in anticipation of a ratification are without validity.²⁹ Moreover, it must be emphasized that unless the representatives had special authorization to dispense with ratification, renunciation of ratification is not binding upon the States which they represent.³⁰

Refusal of Ratification.—International law imposes no duty upon States to ratify treaties made by their heads or representatives, and in practice ratification is given or withheld at discretion. In most cases, of course, ratification takes place, since ample opportunity is usually given both parties to see that the treaty is such as the States are willing to agree to; and moreover, legislators are not likely to refuse ratification on frivolous grounds, since the State which often or wantonly refused ratification of treaties would soon lose credit in international negotiations.³¹

Effect of Ratification.—The effect of ratification is briefly the binding force of the treaty, provided always that the compact is not invalid on other grounds, and that the original consent was not given in error or under a delusion not observed until after ratification. And of course, ratification makes a treaty valid even though a State knows that its representatives exceeded their powers in concluding the treaty.³²

Tacit Ratification.—Ratification may be formal and express, or tacit. The latter takes place when an agreement is wholly or partly carried out with the knowledge and permission of the State which it purports to bind; or when ministers of state and other authorized persons acting for the treaty-making power enter into obligations for which express ratification is not required by custom, without their action being repudiated as soon as it becomes known to the authority in fact capable of definitely binding the State.³³

Reservations, Conditional or Partial Ratification.—Needless to say, ratification can not be conditional or partial; in such case there is no obligation on the other party to enter into fresh negotiations for modification of the treaty.³⁴

A recent example is the Hay-Pauncefote treaty of 5 February, 1900, between the United States and Great Britain concerning the proposed Nicaragua Canal. This was ratified by the United States Senate with modifying amendments, whereupon Great Britain, not willing to accept the amendments, considered the treaty as fallen to the ground.³⁵

But in case of a general treaty to which numbers of nations are parties, a State may except certain articles, and if the other powers acquiesce, that State is not bound by the articles excepted from ratification; and similarly, the other contracting parties may acquiesce in one of the States ratifying the compact on condition that specified interpretations be given to certain clauses or expressions in the treaty.³⁶

When Legislative Sanction Required.—This right of ratification or rejection of treaties negotiated by agents with full powers assumes special importance when the powers and instructions of the plenipotentiaries are given, not by the full treaty-making organ of the State, but by one branch of it only, as in the United States and other countries where legislative confirmation or authorization is required to make the compact effective. In the United States, for instance, a treaty is regularly negotiated on the authority of the President, but can be ratified only with the authorization of the Senate. Accordingly, since the

²⁹ Crandall, sec. 155.

³⁰ Hall, sec. 110; Oppenheim, *Int. Law*, I: 555.

³¹ Oppenheim, *Int. Law*, I: 556-7;

³² *Ibid.*: 561.

³³ Hall, sec. 110.

³⁴ Oppenheim, *Int. Law*, I: 559.

³⁵ *Ibid.*: 559-60.

organs or agents of a State bind it only within the limits of their constitutional competence, it is an implied condition of negotiations that an absolute right of rejecting a treaty is reserved to the body the sanction of which is needed.³⁶

Method of Ratification.—Ratification is a solemn act on the part of a sovereign or by the president of a republic, by which he declares that the treaty, convention, or other international compact has been submitted to him, and that after examining it, he has given his approval thereto, and undertakes its complete and faithful observance.³⁷

The method of ratification in each country is determined by its constitution or established practice, and is regularly consummated by written instruments of identical form, exchanged between the contracting parties and signed by the persons invested with the supreme treaty-making power; or, where that power reposes in a body of persons, by the agent appropriate for the purpose.³⁸

The final act of ratification of a treaty is not delegated. In the United States it is performed by the President, by and with the advice and consent of the Senate, two-thirds of the Senators present concurring. The authorization of the Senate is a condition precedent to the validity of the treaty, and is regularly given after its negotiation in the form of a resolution advising and consenting to the ratification.³⁹

Form of Ratification.—There is no rule of international law prescribing a necessary form of ratification. Sometimes the entire treaty is recited in the ratifying documents, and sometimes only the title, preamble, and date of the treaty, and the names of the signatory representatives. The essential requirement in a ratifying document is merely that the treaty to be ratified be identified clearly and unmistakably.⁴⁰

Following are specimen forms used by the United States for the ratification of treaties:

RESOLUTION OF THE SENATE ADVISING AND CONSENTING TO THE RATIFICATION OF
A TREATY.

IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
(INSERT DATE.)

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the convention (Executive F, Sixty-third Congress, second session) signed May 9, 1914, by the plenipotentiaries of the United States and the Netherlands, extending the duration of the arbitration convention between the two countries, concluded May 2, 1908.

(Signature of Secretary.)

Attest:

In case of conditional or qualified ratification, the same form is used, with the addition of an amendment embodying the reservation, condition, or other modification, thus:

³⁶ Hall, sec. 110; Crandall, sec. 3.

³⁷ Satow, II: 272-6.

³⁸ Hall, sec. 110.

³⁹ Crandall, sec. 48.

⁴⁰ Oppenheim, Int. Law, I: 557.

AMENDMENT.

Article 2, page 2, line 22, strike out after the word "nations" the comma and the words "or by statute."

(Signature of Secretary.)

Attest:

RATIFICATION ⁴¹ BY THE PRESIDENT.

(Name of President.)

President of the United States of America.

To all to whom these presents shall come, greeting:—

Know ye, that whereas a treaty between the United States of America and the Republic of China looking to the advancement of the cause of general peace was concluded and signed by their respective plenipotentiaries (insert place and date of signature), the original of which treaty is hereunto annexed;

And, whereas, the Senate of the United States by their resolution of October 12, 1914 (two-thirds of the Senators present concurring), did advise and consent to the ratification of the said treaty;

Now, therefore, be it known, that I (name of President), President of the United States of America, having seen and considered said treaty, do hereby in pursuance of the aforesaid advice and consent of the Senate, ratify and confirm the same and every article and clause thereof.

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

Given under my hand at (place and date).

(Signature of President.)

(Countersigned by Secretary of State.)

(Here follows text of the treaty.)

Exchange of Ratifications.—Ratification is considered to be complete only when instruments containing ratifications of the respective parties have been exchanged.⁴² In other words, a treaty is not definitely binding until the exchange of ratifications has taken place, and is not finally operative before that date. This results from the right of ratification, now generally recognized even though not expressly reserved in the treaty or full powers of the negotiator, and from that principle of mutuality according to which neither party is bound by a contract until the other is also.⁴³

The formality of exchange of ratifications is for the plenipotentiary to hand a copy of the treaty previously prepared, which has the signatures of the President and Secretary of State and the great seal attesting its ratification, to the plenipotentiary of the other contracting State, and receiving from him a like copy which has the signature of the head of his State, so that each Government has in its archives its own counterpart with its own ratification, and a copy of the treaty with the ratification of the head of the other Government. A protocol setting forth the act of exchange of ratifications is drawn up and signed by the

⁴¹ For other forms of ratification in the languages of different countries, see Satow, II: 276–80; also Crandall, Appendix II: 638–40.

⁴² Hall, sec. 110.

⁴³ Crandall, sec. 155.

plenipotentiaries. Of course, the plenipotentiaries authorized to effect the exchange of ratifications are not necessarily those who negotiated the compact.⁴⁴

Following is a specimen form used by the United States to record an exchange of ratifications: .

PROTOCOL OF EXCHANGE OF RATIFICATIONS.

The undersigned plenipotentiaries, having met for the purpose of exchanging the ratifications of a treaty signed at (name, place, and date), between the United States of America and the French Republic, to facilitate the settlement of disputes, and the ratifications of the treaty aforesaid having been carefully compared and found exactly conformable to each other, the exchange took place this day in the usual form.

In witness whereof they have signed the present protocol of exchange and have affixed their seals thereto.

Signed at (name, place, and date).

(Seal.)

(Seal.)

(Signatures.)

But the exchange of ratifications is more than a mere form; it is the mutual communication of ratification and final acceptance of the treaty by the contracting parties, and the acknowledgment by each that the ratification of the other is in due form.

Proclamation of Treaties.—In the United States, where a treaty has the force of a legislative enactment, it becomes a law of the land affecting the rights of individuals only upon the exchange of ratifications and proclamation by the President.⁴⁵ Following is a form of proclamation used by the United States:

“By the President of the United States of America.

“A PROCLAMATION.

“Whereas a convention between the United States of America and the Kingdom of Sweden defining the rights, privileges, and immunities of consular officers was concluded and signed by their respective plenipotentiaries at (name, place and date), the original of which convention, being in the English and Swedish languages, is word for word as follows: [Here follows the text of the convention.]

“And whereas the said convention has been duly ratified on both parts and the ratifications of the two Governments were exchanged in (name, place and date).

“Now, therefore, be it known that I [name of President], President of the United States of America, have caused the said convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.”⁴⁶

Accession or Adhesion to Treaties.—Treaties or conventions to which numbers of nations are parties, and which by their subject may be applicable to other States besides the original contracting parties, usually provide for the accession or adhesion of other powers, the procedure to be followed being generally stated in the text of the treaty. The distinction between “accession” and

⁴⁴ Foster: 280-1.

⁴⁵ Crandall, sec. 156.

⁴⁶ For a form of proclamation embodying statements regarding conditional ratification, etc., see U. S. For. Rel., 1911: 318-19.

"adhesion" is one made in theory to which practice frequently does not correspond.⁴⁷ In the United States such conventions have to follow the usual course of submission to the Senate for its advice and consent, of accession in the proper form, and proclamation by the President.⁴⁸

Of course, in the case of multilateral treaties the procedure for exchange of ratifications is somewhat different from that described above for treaties between two States only. As a rule, only one original text is signed by all the plenipotentiaries, which is deposited in the archives of the State where signed. The other contracting States then send their instruments of ratification to the Government of that State, which notifies the accessions, withdrawals, etc., to all the contracting parties, and sends a copy of the whole record to each.

TYPES AND FORMS OF INTERNATIONAL COMPACTS.

Treaties may be classified in a variety of ways, as regards their form, objects, effects, etc., or with reference to the parties thereto. But although some writers have devoted considerable space to the subject, leading contemporary authorities declare all attempts at classification to have failed hitherto, and that existing classifications are of little theoretical or practical use.⁴⁹

Form Not Essential to Validity.—Usage has not prescribed any particular form for the conclusion and validity of a binding contract between nations. Generally, of course, international contracts are consigned to writing, and take the form of a specific agreement signed by both parties or by persons duly authorized on their behalf. But writing is not a necessary condition to their validity. From the moment that consent on both sides is clearly established, by whatever means it may be shown, a treaty exists of which the obligatory force is complete. For certain limited purposes international contracts may even be made by signal, as when the exhibition of white flags by both of two hostile armies establishes a truce. However, in view of the frequent changes in the personnel of the agencies through which treaties are concluded, and the difficulty of confirming oral utterances of a State by means of witnesses, written instruments are always employed when possible, if only as a matter of prudence.⁵⁰

Forms and Titles of International Contracts.—International engagements are recorded in a variety of shapes and under a great diversity of titles or designations, according to the circumstances of the case or the purpose in view, such as treaty, convention, agreement, arrangement, declaration, additional articles, protocol, procès-verbal, exchange of notes, acte final or acte général, modus vivendi, etc. Which of these forms shall be adopted in a particular case depends partly on custom and partly on convenience; but neither name nor form makes any essential difference to their validity or binding force.

Treaties and Conventions.⁵¹—A comparison of the existing compacts between nations shows that the form most usually adopted is that of the treaty or convention; these terms being generally used without any clear distinction, as the instruments so designated do not differ essentially in any important respect, either in form, procedure, or content.

⁴⁷ Oppenheim, Int. Law, I: 569. For specimen forms of accessions to international conventions, etc., see Satow, II: 282-8.

⁴⁸ Foster: 282.

⁴⁹ Westlake: 283; Oppenheim, Int. Law, I: 517-18; also Hall, sec. 117, and works there cited.

⁵⁰ Hall, sec. 109; Crandall, sec. 6.

⁵¹ For use of the designation treaty or convention in compacts to which the United States is a party, see Crandall, sec. 6.

The structural parts of a typical treaty or convention may be shown by analyzing two recent examples to which the United States is a party, namely, our treaty of commerce and navigation with Japan, signed 21 February, 1911, and the convention of 7 July, 1911, between the United States, Great Britain, Russia, and Japan for the preservation and protection of fur seals.

In the first place, treaties or conventions contain a preamble, which includes the following items:

- (a) Names and titles of the contracting parties.
- (b) A statement of the reason or purpose of the compact.
- (c) Names and official designations of the plenipotentiaries appointed by the contracting parties.
- (d) A statement that the plenipotentiaries, after communicating to each other their respective full powers, found to be in good and due form, have agreed upon the following articles.

Then follow the various stipulations or substantive articles of the treaty, usually concluding with provisions regarding its ratification, duration, and manner of termination.

Finally, the treaty or convention concludes with a statement that the plenipotentiaries have affixed their signatures and seals at the place and on the date therein named.

But, although these formalities are usually observed, a treaty no less perfect may be effected by any of the instruments mentioned hereunder, if authorized by the full treaty-making organs of States with power over the subject matter.

Exchanges of Notes.—Contracts between States are often concluded by an exchange of diplomatic notes, usually signed by the secretary of state or foreign minister of the country in which the negotiation is carried on, and by the ambassador of the other country; generally on the same date, though sometimes with a short interval between them.

The following are frequent and typical subjects of an exchange of diplomatic notes concerning commercial matters:

Reciprocal protection of trade-marks, patents, etc.; treatment of commercial travelers' samples; consular fees on certificates of origin; admission to coasting trade; special customs duties; reciprocal most-favored-nation treatment; establishing or prolonging a provisional commercial *modus vivendi* pending conclusion of a treaty or convention; renewing, confirming, extending, or explaining former treaties or portions thereof. Numerous examples of international engagements made by exchange of notes are contained in this handbook.

Declarations, Agreements, and Arrangements.—International agreements involving matters of the highest importance are sometimes recorded in the form of a declaration, which may be described as the title of a body of stipulations by which the parties engage to pursue in future a certain line of conduct. Declarations of this kind differ in no essential respect from treaties. A well-known example is the Declaration of Paris of 1865, made after the Crimean War, by which it was sought to introduce uniformity into the usages of maritime warfare. In matters of commerce and navigation, the form of declaration, whether as a separate instrument or annexed to a treaty, is often employed to serve the same purpose as an exchange of notes.

Following are typical subjects of such declarations: Duration or operation of a previous treaty; regulation of trade and commerce; special customs treatment of patterns and samples imported by commercial travelers; customs and transit duties; correcting errors in previous compacts; amending earlier treaties to permit withdrawal of colonies; fixing rights of joint-stock companies; and numerous similar matters.

As in the case of diplomatic notes, declarations of this kind often require no ratification, the concurrence of the highest contracting authorities being otherwise assured.⁵³

The same absence of strict formality is often apparent in compacts entitled agreements or arrangements, which indeed are frequently effected by a simple exchange of notes, especially when relating to commercial matters. Occasionally, however, they are made subject to the approval of the Governments concerned, while others require formal ratification, according to circumstances. That these instruments, under various titles, are substantially the same is shown by the fact that the English "agreement" is found translated in the corresponding foreign texts by the French "arrangement" and "accord"; by the German "Uebereinkunft," "Vereinbarung," and "Abkommen"; by the Spanish "Acuerdo," "Convenio," "Tratado," or even "Protocolo"; and by the Italian "Convenzione."

As in the case of a declaration or exchange of notes, the subject matter of agreements or arrangements may vary greatly in character and importance, the following being typical examples: Registration of trade-marks; establishment of telegraphic cables; repression of obscene publications; reciprocal protection of young workers; customs treatment of commercial travelers' samples; consular jurisdiction; prohibition of false indications of origin on goods; modification of earlier conventions; opium traffic; and commercial relations generally.⁵⁴

Modus Vivendi.—Another designation occasionally applied to commercial arrangements between nations is *modus vivendi*,⁵⁵ meaning a temporary and provisional agreement usually intended to be replaced later on by a more detailed or more permanent compact. As regards its form, this sometimes consists of an agreement signed by both parties, or even of a convention, but more often of an exchange of notes.

Protocol Final, Acte Final.—These terms are used in various meanings. During a congress or a conference between plenipotentiaries, no matter for what purpose, or during negotiations for a treaty, the discussions of each sitting and the results arrived at are set down in a document called a protocol or *procès verbal*, and when it is desired to hold negotiators to the views expressed in the course of debate the protocol may be signed by them. Protocols of this kind, though not themselves agreements between nations, may nevertheless have important bearing on the character of the resulting compact, because when reservations and interpretations are thus recorded and signed by the negotiators, the simple exchange of ratifications of the compact will leave the benefit of them to the party on whose behalf they were made.⁵⁶

Sometimes on conclusion of a treaty, observations, declarations, or explanatory notes are added to elucidate the text of the convention agreed on, and these are recorded in a final protocol or *protocol de clôture*, which is made part of the compact. But the form of a protocol is also frequently used to record international arrangements more or less independent of other compacts, and is the usual instrument for recording the ratification of treaties.⁵⁷

A similar document is the *acte final*⁵⁸ or final instrument, sometimes called *acte général*,⁵⁹ which winds up proceedings of a congress or conference, supplying

⁵³ Westlake: 293. For specimen texts of declarations and notes, see Satow, II: 215-22 and 253-4.

⁵⁴ For specimen texts of agreements, arrangements, etc., see Satow, II: 223-34.

⁵⁵ For specimen texts and examples of its various uses, see Satow, II: 267-70.

⁵⁶ Westlake: 291; Hall, sec. 109; Foster: 246.

⁵⁷ For different meanings of the term "protocol," its various uses, and the divergent practice as regards necessity for ratification, full powers, etc., see Satow, II: 235-52.

⁵⁸ For specimen texts, see Satow II: 211-13.

a summary of the separate treaties or conventions adopted, and usually declaring that the separate compacts or other matters annexed to the treaty have the same force as if textually included therein.

Other titles or designations applied to international compacts of commercial interest, such as additional articles, supplementary convention, consular convention, preferential tariff agreement, reciprocity convention, etc., are self-explanatory, and call for no further remarks in this place.

Capitulations.—This somewhat peculiar and—in its commercial sense—obsolescent form of international compact was originally a military agreement dealing with the surrender of armies, towns, fortresses, etc., into the hands of the enemy, but in course of time has been made applicable to commercial and other matters independently of military operations. It is the term applied to treaties made prior to the present century between Christian nations and the Ottoman Empire, relating especially to the privileges, prerogatives, and immunities granted to Christians resident in Turkey.⁵⁰

CONSTRUCTION AND INTERPRETATION OF TREATIES.

The Language of Treaties.—The language used in diplomatic intercourse was formerly Latin; under Louis XIV it became French. But this is only a usage of diplomacy, not a rule of international law. Each State can use its own language in all official communications to other States, and nations having the same language regularly do so in their intercourse with each other. At conferences and congresses French is generally used as a matter of convenience, because it is widely known. But nothing could prevent diplomats dropping French at any moment and using another language instead.⁶⁰

Treaties between two countries are usually expressed in the languages of the contracting parties, though sometimes there is a single French text in two counterparts, each party preparing the counterpart to be deposited in its national archives. If there are more than two contracting parties there may be one counterpart for each, or a single original signed by all, of which a ratified copy is delivered to each party.⁶¹

Occasionally it is expressly agreed in the treaty which text, in case of conflict, shall be decisive, but in the absence of any such expressed agreement, though each government is naturally disposed to adhere to the text in its own language, the prevailing opinion is that the texts should be construed collectively whenever possible, preferring neither one to the other, since each is an original.⁶²

Rules of Construction and Interpretation.⁶³—The interpretation and construction of treaties has been considered at much length by many writers on international law, and rules of construction have been elaborated with painstaking care. But the value of many of these rules for practical use seems doubtful. As yet there are few, if any, universally recognized rules of international law concerning interpretation and construction of treaties, and many international disputes in the past have been due to this fact. "There is no place for the refinement of courts in the rough jurisprudence of nations."⁶³ Each nation applies to international statutes those rules of interpretation and construction

⁵⁰ For the history and present significance of capitulations, see Calvo: 62; Foster: 245; Hall, sec. 10, note.

⁶⁰ Oppenheim, *Int. Law*, I: 439.

⁶¹ Satow, II: 176-7.

⁶² For a discussion of discrepancies between texts, see Crandall, sec. 169, and judicial decisions there cited.

⁶³ Hall, sec. 712.

which are valid for the interpretation and construction of its municipal or national statutes. The application of independent rules of construction by different nations is well illustrated by the American interpretation of the most-favored-nation clause,⁶⁴ which appears in a variety of forms in most of the commercial treaties of the 19th century.

Disputed Interpretations of Treaties.—In the case of contracts between individuals, either party may of right compel the submission of a disputed interpretation to an independent tribunal for adjudication. No such legal right exists as between independent States, except by agreement between the parties. In the absence of such an agreement, either party to the treaty determines for itself in last resort the meaning of the terms of its own obligation, and the only remedy open to the aggrieved party is a recourse to force or to a denunciation of the treaty. This results from the fact that the contracting parties are sovereign States over which no tribunal except by their own consent exercises a jurisdiction to determine issues between them. As the contracting parties determine for themselves the terms of their own contract, it is peculiarly the duty of each to act in the utmost good faith.⁶⁵

Arbitration of Disputes.—Although sovereign States are not legally bound, except by their own consent, to submit to arbitration of controversies arising in the interpretation of treaties, the powers which are parties to the convention of 18 October, 1907, concluded at the second international peace conference, including the United States, formally declared that "in questions of a legal nature, and especially in the interpretation or application of international conventions, arbitration is recognized by the contracting powers as the most effective, and at the same time the most equitable, means of settling disputes which diplomacy has failed to settle." (Art. 38. United States Tr. II: 2234.)

A similar declaration is incorporated in the covenant of the League of Nations, and the members of the league agree to submit to arbitration disputes between them "as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which, if established, would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach." * * * (Art. 13.)

Moreover, numerous bilateral conventions are in force between different States by which they have bound themselves to submit differences to arbitration, and many commercial treaties contain a clause providing for arbitration of disputes regarding interpretation or application of the treaty in question.

OPERATION AND ENFORCEMENT OF TREATIES.

Date of Taking Effect.—As a compact between States, a treaty is not definitely and finally operative until the exchange of ratifications has taken place. Even if it is expressly provided in the treaty that it shall go into effect immediately upon its signature, its operation is provisional and subject to the final ratification of the parties; and, in case of rejection, acts by either party done in anticipation of a ratification are without validity.⁶⁶

Effect of Treaties on Subjects of the Parties.—The binding force of treaties primarily concerns the contracting States only, and not their subjects, unless

⁶⁴ See p. 3, above; also U. S. Tariff Commission, Reciprocity, etc.: 18, 20, 39-42, 389-456. For a full discussion of the jurisdiction of Federal courts of suits arising under treaties of the United States, see Crandall, secs. 111-114. As to what questions regarding interpretation of treaties are for the courts, and what questions for the political departments in the United States, see Crandall, sec. 163, and the numerous citations there given.

⁶⁵ Crandall, sec. 160.

⁶⁶ For a discussion of conditions under which the exchange of ratifications has a retroactive effect as to the rights of the contracting parties, confirming them as of the date on which the treaty was signed, see Crandall, secs. 155-9, and authorities there cited.

otherwise provided by law in a given country. If treaties contain stipulations regarding rights and duties of subjects, courts, officials, etc., the contracting States must take the necessary steps, according to their municipal or national law, to make these stipulations binding upon their subjects, courts, officials, etc. Mere publication of the treaty may suffice in some cases; in others special statutes may be required to be enacted by the respective legislatures.⁶⁷

Legislation to Make Treaty Stipulations Effective.—Stipulations of treaties may be self-executing, or they may, either by their terms or from their nature, require legislative action to give them full effect. In the United States self-executing provisions in treaties have themselves the force and effect of a legislative enactment; but stipulations requiring legislative action to make them operative must be enacted by Congress before they can be enforced in the courts; and such legislation is as much subject to modification and repeal as legislation on any other matter.⁶⁸

Operation of Treaties as Municipal Law.—Article VI of the Constitution of the United States provides that:

"This Constitution and the laws of the United States which shall be made in pursuance thereof; and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding."

Accordingly, treaties made under the authority of the United States operate *proprio vigore* as laws.

The primary purpose of this clause in the Constitution, declaring treaties to be the supreme law of the land, was to insure their faithful observance without the aid or intervention of legislation on the part of the States;⁶⁹ and it is now well established that a treaty duly made under the authority of the United States is as much a part of the law of every State as its own local laws and constitution, and in case of conflict the treaty must prevail.⁷⁰

Effect of Treaties Upon Third States.—As a rule, neither rights nor duties arise under a treaty for third States which are not parties to it. Nevertheless, third parties may be affected by such treaties in a variety of ways. Thus, a commercial treaty granting more favorable conditions than were previously conceded by the country in question must affect all third States having commercial treaties with that country containing the most-favored-nation clause. In other cases rights are expressly created for third States not parties to the compact. Thus, the treaty of 1903 between the United States and Panama stipulates that the Canal shall be open to vessels of commerce and of war of all nations, and a similar provision respecting the Straits of Magellan is contained in the treaty of 1881 between Argentina and Chile. Whether or not third States may acquire rights under such treaties so as to require their consent before the

⁶⁷ Oppenheim, *Int. Law*, I: 566.

⁶⁸ 124 U. S., 194.

⁶⁹ Crandall, sec. 70.

⁷⁰ 173 U. S., 501, 508. For a full discussion of the question what provisions in treaties in the United States require legislative action to make them operative, see Crandall, secs. 74–104, where the precedents and authorities are examined under the following heads:

- (a) Treaties involving an appropriation, secs. 74–81.
- (b) Treaties involving a modification of the revenue laws, secs. 82–9.
- (c) Treaties for the acquisition and cession of territory, secs. 90–99.
- (d) Extradition of fugitives from justice, sec. 100.
- (e) Apprehension of deserting seamen, sec. 101.
- (f) Jurisdiction of foreign consuls, sec. 102.
- (g) Protection of industrial property, sec. 103.
- (h) Miscellaneous cases, sec. 104.

contracting parties could repeal or alter treaty stipulations of this kind, is apparently not well settled.⁷¹

Enforcement of Treaties.—Before there was any international law in the modern sense of the term treaties were considered sacred and binding on account of religious and moral sentiment.⁷² It was therefore generally attempted to ensure execution and observance of promises between States by swearing solemn oaths, though other means were also employed, such as pledging securities and giving hostages or other guarantees. That the moral sanction of treaties has on the whole been a forceful factor in the affairs of nations is shown by the pains with which States as well as all individuals with self-respect attempt to explain away charges of breach of faith. If the fact of breach were determined always by an independent and impartial tribunal⁷³ recognized as such by the parties, this moral sanction would be greatly strengthened, for manifestly no nation can maintain treaty relations and a standing with other nations and persistently refuse to abide by its promises.⁷⁴

DURATION, TERMINATION, AND RENEWAL OF TREATIES.

Duration of Treaties.—Treaties may be concluded for a limited or an unlimited number of years, and are sometimes maintained in force for long periods of time. Thus Great Britain has treaties still in force with certain European countries—Sweden, Denmark, and Spain—dating back to near the middle of the seventeenth century, and a convention of commerce and navigation with the United States which was signed 3 July, 1815.

The date on which a treaty is to become effective may be, and usually is, fixed by express provision. The contracting countries may even agree to give the treaty a retrospective operation regarding matters anterior to its date.⁷⁵

Extinction of Treaties.—International contracts are extinguished when their objects are satisfied or when a state of things arises through which they become void. When treaties are concluded for a fixed time their objects are satisfied as soon as the stipulated period has elapsed. If made without reference to time, their objects are satisfied when the acts stipulated have been performed, as when one State engages to pay another a sum of money and payment is made.

When Treaties Become Void.—The conditions under which treaties may become void are stated by a leading authority as follows:

(a) By mutual consent of the parties, shown either tacitly by the conclusion of a new treaty inconsistent with that already existing or shown expressly by declaration of nullity.

(b) Express renunciation by one of the parties of advantages taken under it.

(c) By denunciation, when this right has been expressly reserved, or when from the nature of its contents the treaty is voidable at the will of one of the parties.

(d) If execution of the compact has become impossible, as when a State is bound by an offensive and defensive alliance with both of two States which engage in hostilities with one another.

⁷¹ Oppenheim, *Int. Law*, I: 564; also Hall, sec. 114.

⁷² Oppenheim, *Int. Law*, I: 517.

⁷³ The permanent court of international justice recently established under the auspices of the League of Nations is competent to hear and determine any dispute of an international character which the parties thereto submit to it, and may also give an advisory opinion upon any dispute or question referred to it by the council or by the assembly of the league. (*L. N. Cov.*, Art. 14.) This court is available to any country, whether a member of the League of Nations or not. See No. 506 in this volume.

⁷⁴ Crandall, sec. 7.

⁷⁵ Crandall, sec. 155.

(e) When an express condition on which continuance of the obligation is made to depend ceases to exist.

(f) Incompatibility with a change in undisputed law, or in universally accepted moral ideas, as, for example, stipulations relating to traffic in slaves.⁷⁶

When Treaties Are Voidable.—It is difficult, not to say impossible, to lay down precisely the conditions under which a treaty becomes voidable, or, in other words, the conditions under which one of the contracting parties acquires the right of declaring itself freed from the obligation under which it has placed itself.

Of course neither party to the contract can make its binding effect dependent at will upon conditions other than those contemplated at the moment when the contract was entered into; and, on the other hand, a contract ceases to be binding as soon as anything which formed an implied condition of its binding force at the time of its conclusion is essentially altered. This is the notorious principle or customary rule of international law known as "*conventio omnis intelligitur rebus sic stantibus*," according to which a vital change of circumstances after ratification of a treaty may be of such a kind as to justify a party in demanding to be released either from the whole treaty or from certain obligations stipulated in it. As the term "vital change of circumstances" is elastic, stipulations stipulated in it. As the term "vital change of circumstances" is elastic, . . . there is great danger that the principle will be abused for the purpose of hiding the violation of treaties behind the shield of law.⁷⁷

Effect of Changes in Form of Government, or in State Entity.—A treaty is a compact between States, not between forms of government. Its obligation therefore in general does not depend on the continuance of the particular form of government under which it happened to be concluded. The effect upon treaties of the extinction, annexation, separation, or other changes affecting the entity of States depends upon the particular case, and on the character of the treaties concerned. As a general rule, the following principles apply. The obligation of a treaty, as distinguished from rights already conveyed or transferred under it, comes to an end upon the extinguishment of one of the contracting parties, with consequent loss of power to perform. As a broad principle, the territory of the annexed or incorporated State becomes impressed with the treaties of the acquiring State so far as locally applicable. A State formed by separation from another, whether the personality of the original State still exists or is completely lost by disintegration, succeeds to such treaty burdens of the parent State as are permanent and attached to the territory embraced in the new State.⁷⁸

Termination of Treaties by Agreement.—A treaty supersedes all preexisting treaties between the same parties inconsistent with its provisions. As nations may by mutual agreement annul treaties binding on them, so a provision may be, and often is, inserted in the treaty itself, by which the contracting parties agree that it may be terminated by notice of the one given to the other. The period of time specified in the treaty, which is to elapse between the date of giving the notice and the final termination of the treaty, has in the various notices given by the United States been reckoned from the date when the notice was presented at the foreign office of the other contracting party.⁷⁹

Repeal of Treaty as Municipal Law in the United States.—It is well established that an act of Congress approved by the President may terminate the operation of a prior treaty as a law binding on the courts.⁸⁰ But of course the

⁷⁶ Hall, sec. 116.

⁷⁷ Oppenheim, League of Nations : 69 ; Hall, sec. 116, and authors there cited.

⁷⁸ Crandall, sec. 179.

⁷⁹ For a statement of precedents followed in the United States, see Crandall, secs. 183-4.

⁸⁰ Crandall, sec. 186, and decisions there cited.

operation of the treaty as a municipal law must not be confused with the obligation of the international contract, which can not be thus terminated by an act of one only of the parties.

Effect of War Upon Treaties.—The outbreak of war, besides calling into existence a number of positive rights concerning the relations of States, has the negative effect of abrogating and suspending treaties of certain kinds, and of interrupting or ending all nonhostile relations between subjects of the belligerent States. What kinds of treaties are annulled or suspended by war, and what treaties remain in force during its continuance or revive at its conclusion, is one of the most unsettled subjects of international law. The old rule that all treaties are annulled by war has been abandoned in the recent practice of States, and apparently no general rule can be framed to which there will not be numerous exceptions, the effect of war upon any particular treaty depending in the first instance on the character of the treaty in question.

Certain clauses of treaties should obviously not be considered as abrogated, or even suspended, by war between the parties concerned, such as compacts expressly concluded in contemplation of war for the purpose of regulating belligerent operations and in derogation of belligerent rights, or stipulations regarding length of time allowed to subjects of either nation to quit the territory of the other in the event of war between the two countries, and similar provisions often found in commercial treaties.

Moreover, treaties affecting rights of third States, like the numerous multilateral treaties to which numbers of nations are parties, should not be considered as annulled during war, but at most temporarily suspended as between the belligerent members. "Nobody would hold that powers at war do not have a perfect right to send representatives to the conferences of the international unions of which they are members * * * Every reason, therefore, exists for excepting the conventions of unions from the rule that a declaration of war effects the annulment of treaties."⁸¹

Finally, treaties which are fully executed, such as conventions imposing payment of money and payment made; or a treaty conceding territory and sovereignty assumed under it; likewise acts previously done or rights already transferred under sanction of a treaty; these are not annulled by a state of war. In all such cases, the title rests on a completed act, and not on a treaty obligation of which the liability is still continuing.

The above examples show clearly that the general rule that treaties are terminated by war has many exceptions, and since the law on the subject has not been definitely settled, prudence and caution have led to the general though not uniform practice of making express provision in treaties of peace for renewal or confirmation of such treaties existing before the war as the parties may agree to continue.⁸²

Renewal of Treaties.—An extinguished treaty may be renewed by express or tacit consent. In the case of most treaties, however, it would be unsafe to assume their tacit renewal unless something was done or permitted which it can not be supposed would be done or permitted without such an equivalent as that provided in the treaty concerned. Tacit consent must, therefore, show the intention of the parties in an unmistakable manner.⁸³

⁸¹ Reinsch : 169.

⁸² Oakes and Mowat : 1 ; Crandall, sec. 181 ; also Westlake : 298. For a review of the opinions of leading writers regarding the effect of war upon treaties and the diverging practice of States at the conclusion of recent wars, see Hall, sec. 125 ; also Reinsch : 169-76, and works there cited.

⁸³ Hall, sec. 117, and authors there cited.

APPENDIX.

EUROPEAN¹ CONVENTIONAL TARIFF TREATIES AND TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN REGARD TO CUSTOMS DUTIES.

IN FORCE JULY 28, 1914, AND MARCH 1, 1922.

In 1914, at the outbreak of the war, the tariff relations of 10 European countries, and of Japan, were regulated by treaties having tariff schedules annexed which granted lower rates of duty than the general tariff schedules in force for each country. The following countries used the conventional tariff system: Austria-Hungary, Bulgaria, Germany, Greece, Italy, Rumania, Russia, Serbia, Sweden, and Switzerland.

Four European countries (France, Montenegro, Norway, and Spain) used a double tariff system with fixed "general" and "minimum," or "first and second column," rates.

Six European countries (Belgium, Denmark, Great Britain, Netherlands, Portugal, and Turkey) had single tariffs.

Germany also had a few minimum rates, and Portugal a few conventional rates. Great Britain alone had free trade, with the exception of a few duties for revenue.

The conventional tariff system was therefore the predominating system in Europe before the war, and by operation of the most-favored-nation clause in commercial treaties these conventional tariffs were automatically extended to all countries with which most-favored-nation treaties had been concluded.

In 1917 and 1918 a number of European countries denounced their commercial treaties in anticipation of greatly changed conditions after the war.

FRANCE in 1918 announced her intention of terminating all her commercial treaties "containing the general clause regarding the most-favored-nation or the consolidation of tariffs." All these treaties, however, were later prorogued indefinitely, subject to termination on three months' notice, except those with Canada (which have been replaced by a new tariff agreement), the treaty with Great Britain regarding the Seychelles Islands, and the agreement of 1893 with Spain.

GREECE in 1919 and 1920 denounced her treaties with Great Britain, Norway, Spain, Switzerland, and the United States.

ITALY in 1917 denounced her treaties with France, Greece, Japan, Rumania, Russia, Serbia, Spain, and Switzerland. The only ones

¹ Japan is the only non-European country which has the general and conventional tariff system, and her treaties are therefore included in this list.

actually terminated, however, were those with Rumania, Russia, Spain, and Switzerland, the others being prorogued and made terminable on three months' notice at any time.

RUMANIA denounced many of her treaties in 1921. All her conventional tariff treaties have been terminated, except those with Belgium and Great Britain, which will terminate April 19, 1922. After that date the products of all countries will be subject in Rumania to the rates of the general tariff.

RUSSIA.—The provisional Russian government in 1917 denounced its treaties with Belgium, Great Britain, Italy, Japan, Netherlands, Norway, and Spain.

SPAIN in 1918 denounced her conventional tariff treaties with Denmark, Netherlands, Norway, Sweden, and Switzerland. These tariff treaties were, however, prorogued from time to time, and after the coming into effect of the provisional new Spanish tariff of May, 1921, were replaced by provisional *modi vivendi* granting minimum rates of the Spanish tariff in return for most-favored-nation treatment. New provisional agreements were made in January and February, 1922. At the present time (March, 1922) the products of France and of Switzerland are subject to maximum rates. Norway receives, under a temporary agreement, a rate slightly higher than the minimum schedule. Permanent arrangements are being worked out between these countries and Spain.

PEACE TREATIES.

AUSTRIA, in her treaty of peace, pledges, until July 16, 1923, rates conventionalized by treaties in force July 28, 1914, with the Allied and Associated Powers, on certain products imported from Allied and Associated States.

GERMANY, in the treaty of Versailles, pledges to the Allied and Associated Powers, until January 10, 1923, the rates applicable to certain products on July 31, 1914.

BULGARIA, by her treaty of peace, conceded until August 9, 1921, the most-favored-nation duties applicable to the Allied and Associated Powers on July 28, 1914. Agreements of Bulgaria made in 1920 with the United States, Germany, Hungary, and Spain granted most-favored-nation treatment to these countries. In July, 1921, Bulgaria announced that after August 9, 1921, all favored-nation treatment would cease with regard to all countries.

HUNGARY, in her peace treaty, pledged most-favored-nation treatment to the Allied and Associated Powers until January 26, 1922, in regard to duties in force July 28, 1914.

Lists of most-favored-nation treaties.

The lists of treaties following give the situation as it stood March 1, 1922, for the United States and for European countries. Treaties

with South American and Asiatic countries are also given; but to avoid unnecessary duplication, these are not listed again under those countries.

Several recent treaties are included in these lists which do not appear in the chronological list of treaties on pages 15 to 101, the sources of the information being given in footnotes. New treaties are, of course, being signed constantly, as the temporary provisions of the peace treaties and other temporary agreements come to an end. But the old European unconditional most-favored-nation principle, in spite of the tendency during the war to denounce treaties containing it, is being retained in treaties both old and new.

Conventional tariff treaties, however, have been generally terminated. Bulgaria, Rumania, Russia, the Serb-Croat-Slovene State, Sweden, and Switzerland have none of their old conventional tariff treaties in force; except that in a few cases, noted in these lists, the conventional tariff schedules alone have been discarded, while the rest of the treaty is maintained in force. Greece has two and Italy a few unimportant ones still in force. The treaty of September 1, 1920, between Austria-Hungary and Germany continues the tariff rates of the treaty of January 25, 1905, between these countries. The Serb-Croat-Slovene State has a new maximum and minimum tariff, since July 10, 1921, treaty countries being admitted to minimum rates. Switzerland and Italy have new tariffs with one general rate for all countries, with a few exceptions in conventional rates in the case of Italy. Portugal has a new provisional general tariff for nontreaty countries, the old tariff being used as a minimum tariff.

Explanations concerning lists marked (A).

1. The treaties named in the last column of the lists marked (A) as replacing the former treaties which granted specified tariff rates are not themselves conventional tariff treaties, unless expressly so stated. They do, however, all contain clauses pledging most-favored-nation treatment either in regard to commercial matters generally or specifically in regard to import duties.

2. The granting of specified rates by conventional tariff treaties is not always reciprocal, but may be unilateral. The latter is normally the case in the treaties between single-schedule countries and conventional-tariff countries. Accordingly, the listing of conventional tariff treaties under Belgium, Denmark, Great Britain, Netherlands, and Turkey means only that the other party to the treaty granted specified reductions of duty in favor of these countries.

3. All conventional tariff treaties in the lists marked (A) also contain the general most-favored-nation clause, with a few exceptions expressly noted.

AMERICA, UNITED STATES OF.¹

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS.

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
Argentina.....	Treaty. Commerce and navigation.	27 July, 1853	.....	.....	.....
Austria.....	do.....	27 Aug., 1829	.....	7 Dec., 1917 ²	Treaty of peace. 24 Aug., 1921.
Belgium.....	do.....	8 Mar., 1875	.....	.....	.....
Bolivia.....	Treaty. Peace, friendship, commerce, and navigation.	13 May, 1858	.....	.....	.....
Borneo.....	Convention. Amity, commerce, and navigation.	23 June, 1850	.....	.....	.....
China.....	Treaty. Commerce.....	8 Oct., 1903	.....	.....	.....
Colombia.....	Treaty. Peace, amity, navigation, and commerce.	12 Dec., 1846	.....	.....	.....
Costa Rica.....	Treaty. Friendship, commerce, and navigation.	10 July, 1851	.....	.....	.....
Cuba.....	Convention. Commerce.	11 Dec., 1902	.....	.....	.....
Denmark.....	Convention. Commerce and navigation.	26 Apr., 1826	.....	.....	.....
Egypt.....	Agreement. Commerce and customs.	16 Nov., 1884	.....	.....	.....
Ethiopia.....	Treaty. Commerce.....	27 June, 1914	.....	.....	.....
Germany.....	Treaty of peace.....	25 Aug., 1921	.....	.....	.....
Great Britain.....	Convention. Commerce.	3 July, 1815	.....	.....	.....
Greece.....	Treaty. Commerce and navigation.	22 Dec., 1837	By Greece ³ 26 Jan., 1920	.....	.....
Honduras.....	Treaty. Friendship, commerce, and navigation.	4 July, 1864	.....	.....	.....
Hungary.....	Treaty of peace.....	29 Aug., 1921	.....	.....	.....
Italy.....	Treaty. Commerce and navigation.	26 Feb., 1871	.....	.....	.....
Japan.....	do.....	21 Feb., 1911	.....	.....	.....
Liberia.....	do.....	21 Oct., 1862	.....	.....	.....
Morocco.....	Treaty. Peace and friendship. (Not reciprocal.)	16 Sept., 1836	.....	.....	.....
Muscat.....	Treaty. Amity and commerce.	21 Sept., 1833	.....	.....	.....
Netherlands.....	Treaty. Commerce and navigation.	19 Jan., 1839	By United States. 10 May, 1918	10 May, 1919	.....
Norway.....	do.....	4 July, 1827	.....	.....	.....
Paraguay.....	Treaty. Friendship, commerce, and navigation.	4 Feb., 1859	.....	.....	.....
Persia.....	Treaty. Friendship and commerce.	13 Dec., 1856	.....	.....	.....
Serb-Croat-Slovene State.....	Treaty. Commerce and navigation.	14 Oct., 1881	.....	.....	.....
Siam.....	Treaty. Commerce. (Not reciprocal.)	16 Dec., 1920	.....	.....	.....
Sweden.....	Treaty. Commerce and navigation.	4 July, 1827	By United States. 4 Feb., 1918	4 Feb., 1919	.....
Turkey ⁴	do.....	7 May, 1830	.....	.....	.....

¹ Most-favored-nation treatment is granted the United States in the following countries by law: Germany, law of 5 Feb., 1910; Rumania, law of 17 Apr., 1912; Spain, royal order of 30 Aug., 1906. By French, law of 29 Mar., 1910, the United States receives minimum rates in France on certain articles.

² Date of declaration of war.

³ Made terminable on 3 months' notice by agreement of 18 Oct., 1920. See footnote, p. 132.

⁴ Diplomatic relations severed 20 Apr., 1917.

AUSTRIA.

(A)⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ⁶ —
Belgium.....	Treaty. Commerce and navigation.	12 Feb., 1906	.....	28 Aug., 1914 ²	Treaty of peace. 10 Sept., 1919.
France.....	Convention. Commerce.	18 Feb., 1884	.....	13 Aug., 1914 ²	Do.
Germany.....	Convention. Commerce and customs.	6 Dec., 1891	.....	.....	Economic agreement.
	Agreement. Commerce.	25 Jan., 1905	.....	.....	1 Sept., 1920. (Continues tariff rates of treaty of 25 Jan., 1905.)
Italy.....	Treaty. Commerce and navigation.	11 Feb., 1906	.....	24 May, 1915 ²	Treaty of peace. 10 Sept., 1919.
Rumania.....	Convention. Commerce.	21 Dec., 1893	.....	27 Aug., 1916 ²	Do.
Russia ⁶	Treaty. Commerce and navigation.	15 Feb., 1906	.....	6 Aug., 1914 ²	.....
Serb-Croat-Slovene State.	.....do.....	27 July, 1910	.....	28 July, 1914 ²	Treaty of peace. 10 Sept., 1919.
Switzerland..	Treaty. Commerce.....	9 Mar., 1905	By Switzerland, 1919.	1 July, 1921	Treaty. Commerce. 27 June, 1920.

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

America, United States of.	Treaty. Commerce and navigation.	27 Aug., 1829	.....	7 Dec., 1917 ²	Treaty of peace. 24 Aug., 1921.
Bulgaria.....	Exchange of notes. Commerce.	6 Jan., 1907 18 Feb., 1907	.....	.....	Exchange of notes. Most-favored-nation treatment.
China.....	Treaty. Commerce and navigation.	2 Sept., 1869	.....	14 Aug., 1917 ²	16 Nov., 1920.
Cuba.....	Treaty of peace.....	10 Sept., 1919	.....	.....	Treaty of peace. 10 Sept., 1919.
Czechoslovakia.	.....do.....	.....do.....	.....	.....	.....
Denmark.....	Treaty. Commerce.....	4 May, 1921	.....	.....	.....
	Convention. Commerce and navigation.	14 Mar., 1887	.....	.....	.....
Egypt.....	Convention. Commerce.	16 Aug., 1890	.....	13 Aug., 1914 ²	Do.
Ethiopia.....	Treaty. Friendship and commerce. (Not reciprocal.)	21 Mar., 1905	.....	.....	.....
Great Britain.	Treaty. Commerce.....	5 Dec., 1876	.....	13 Aug., 1914 ²	Do.
Greece.....	Convention. Commerce and navigation.	11 Apr., 1887	.....	2 July, 1917 ²	Do.
Japan.....	Treaty. Commerce and navigation.	28 Oct., 1912	.....	27 Aug., 1914 ²	Do.
Liberia.....	.....do.....	1 Sept., 1866	.....	.....	.....
Montenegro..	.....do.....	6 Feb., 1911	.....	8 Aug., 1914 ²	.....
Morocco.....	Treaty. Peace and commerce. (Not reciprocal.)	19 Mar., 1830	.....	3 Aug., 1914 ²	Do.
Netherlands..	Treaty. Friendship and commerce.	26 Mar., 1887	.....	.....	.....
Nicaragua....	Treaty of peace.....	10 Sept., 1919	.....	.....	.....
Norway.....	Treaty. Commerce and navigation.	3 Nov., 1873	.....	.....	.....
Persia.....	.....do.....	17 May, 1857	.....	.....	.....
Portugal.....	Exchange of notes. Commerce.	8 July, 1911	.....	16 Mar., 1916 ²	Do.
Siam.....	Treaty. Commerce. (Not reciprocal.)	17 May, 1869	.....	22 July, 1917 ²	Do.
Spain.....	Exchange of notes. Customs.	30 June, 1892 22 Feb., 1895	.....	.....	.....
Sweden.....	Treaty. Commerce and navigation.	3 Nov., 1873	.....	.....	.....
Zanzibar.....	Convention. Commerce, etc.	11 Aug., 1887	.....	.....	.....

² Date of declaration of war.⁵ For explanations concerning treaties in lists marked (A), see p. 871.⁶ A new trade agreement was signed between Austria and Russia, 8 Dec., 1921, but it contains neither most-favored-nation nor tariff provisions. (Cur. Hist. XV: 665.)

BELGIUM.

(A) ² TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ³ —
Austria-Hungary.	Treaty. Commerce and navigation.	12 Feb., 1906	.....	28 Aug., 1914 ²	Treaties of peace. 10 Sept., 1919. 4 June, 1920.
Bulgaria.....	do.....	29 Aug., 1908	.....	4 Aug., 1914 ²	Treaty of peace. 27 Nov., 1919.
Germany.....	Treaty. Commerce and customs.	6 Dec., 1891	.....	4 Aug., 1914 ²	Treaty of peace. 28 June, 1919.
Rumania.....	Treaty. Commerce..... Convention. Commerce.	22 June, 1906 5 June, 1906	By Rumania. 19 Apr., 1921	19 Apr., 1922	
Serb - Croat - Slovene State.	Treaty. Commerce.....	24 Apr., 1907	.....	10 July, 1921	

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

America, United States of.	Treaty. Commerce and navigation.	8 Mar., 1875	.....	.....	.....
Bolivia.....	Treaty. Friendship and commerce.	18 Apr., 1912	.....	.....	.....
Brazil.....	Agreement. Commerce.	12 Dec., 1863 14 Jan., 1864	.....	.....	.....
China.....	Treaty. Friendship, commerce, and navigation. (Not reciprocal.)	2 Nov., 1865	.....	.....	.....
Denmark.....	Treaty. Commerce and navigation.	18 June, 1895	.....	.....	.....
Ecuador.....	do.....	5 Mar., 1887	.....	.....	.....
Egypt.....	Convention. Commerce and navigation.	24 June, 1891	.....	.....	.....
Ethiopia.....	Treaty. Commerce.	6 Sept., 1906	.....	.....	.....
France.....	Agreement. Commerce.	15 Jan., 1892 30 Jan., 1892	.....	.....	.....
Great Britain.	Exchange of notes. Commerce and navigation.	27 July, 1898	.....	.....	.....
Greece.....	Treaty. Commerce and navigation.	25 May, 1895	.....	.....	.....
Honduras.....	do.....	25 Mar., 1909	.....	.....	.....
Italy.....	do.....	11 Dec., 1882	.....	.....	.....
Japan.....	Agreement. Commerce.	8 July, 1911	.....	.....	.....
Liberia.....	Treaty. Friendship, commerce, and navigation.	1 May, 1885	.....	.....	.....
Mexico.....	Treaty. Commerce and navigation.	7 June, 1895	.....	.....	.....
Montenegro...	Agreement. Commerce.	9 Dec., 1904	.....	.....	.....
Morocco.....	Treaty. Commerce and navigation.	4 Jan., 1862	.....	.....	.....
Netherlands.	Convention. Commerce and navigation.	12 May, 1863	.....	.....	.....
Nicaragua.....	Treaty. Commerce and navigation.	8 May, 1858	.....	.....	.....
Norway.....	do.....	27 June, 1910	.....	.....	.....
Paraguay.....	Convention. Commerce and navigation.	15 Feb., 1894	.....	.....	.....
Persia.....	Treaty. Commerce and friendship.	31 July, 1857	.....	.....	.....
Portugal.....	Declaration. Commerce.	11 Dec., 1897	.....	.....	.....
Russia.....	Treaty. Commerce and navigation.	9 June, 1858	By Russia. 24 Oct., 1917	24 Oct., 1918	.....
Salvador.....	Convention. Commerce.	21 Mar., 1906	.....	.....	.....
Siam.....	Treaty. Friendship and commerce.	29 Aug., 1868	.....	.....	.....
Spain.....	Modus vivendi. Commerce.	21 Dec., 1921	.....	.....	.....
Sweden.....	Treaty. Commerce and navigation.	11 June, 1895	.....	.....	.....
Switzerland..	Treaty. Commerce.....	3 July, 1889	.....	.....	.....
Turkey.....	Treaty. Friendship, commerce, and navigation.	3 Aug., 1838	.....	.....	.....
Venezuela....	Treaty. Commerce and navigation.	1 Mar., 1884	.....	.....	.....
Zanzibar.....	Convention. Commerce and navigation.	30 May, 1885	.....	.....	.....

² Date of declaration of war. ³ For explanations concerning treaties in lists marked (A) see p. 871.

BULGARIA.⁷(A)⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).²

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
Belgium.....	Treaty. Commerce and navigation.	29 Aug., 1908	.....	4 Aug., 1914 ²	Treaty of peace. 27 Nov., 1919.
France.....	do.	13 Jan., 1906	.....	16 Oct., 1915 ²	Do.
Germany.....	Treaty. Commerce, customs, and navigation.	1 Aug., 1905	.....	.....	Exchange of notes. Most-favored-nation treatment. 19 Feb., 1920. 19 Aug., 1920.
Great Britain.	Convention. Commerce, customs, and navigation.	9 Dec., 1905	.....	15 Oct., 1915 ²	Treaty of peace. 27 Nov., 1919.
Italy.....	Treaty. Commerce, customs, and navigation.	13 Jan., 1906	.....	19 Oct., 1915 ²	Do.
Turkey.....	Convention. Commerce.	19 Feb., 1911	.....	.....	.....

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

Austria- (Hungary).	Exchange of notes. Commerce.	6 Jan., 1907 18 Feb., 1907	.....	.....	Exchange of notes. Most-favored-nation treatment. 16 Nov., 1920.
Czechoslovakia.	Treaty of peace.....	27 Nov., 1919	.....	.....	.....
Denmark.....	Exchange of notes. Commerce.	10 Dec., 1909	.....	.....	.....
Greece.....	Treaty of peace.....	27 Nov., 1919	.....	.....	.....
Montenegro...	Convention. Commerce and navigation.	9 May, 1909	.....	.....	.....
Netherlands..	Exchange of notes. Commerce.	24 June, 1897	.....	.....	.....
Norway.....	do.	30 July 1908	.....	.....	.....
Portugal.....	Exchange of notes. Commerce and navigation.	4 June, 1910	.....	10 Mar., 1916 ²	.....
Rumania.....	Treaty. Commerce and navigation.	3 Dec., 1907	.....	1 Sept., 1916 ²	Treaty of peace. 27 Nov., 1919.
Turkey.....	Convention. Commerce.	19 Feb., 1911	.....	.....	.....
Russia.....	Treaty. Commerce and navigation.	8 Mar., 1905	.....	19 Oct., 1915 ²	.....
Serb-Croat-Slovene State.	Treaty. Commerce.....	16 Feb., 1897	.....	14 Oct., 1915 ²	Treaty of peace. 27 Nov., 1919.
Siam.....	Treaty of peace.....	27 Nov., 1919	.....	22 July, 1917 ²	.....
Spain.....	Exchange of notes. Commerce.	5 Oct., 1908	.....	.....	.....
Sweden.....	do.	10 May, 1906	.....	.....	.....
Switzerland..	do.	17 Feb., 1906	.....	.....	.....

² Date of declaration of war.⁵ For explanations concerning treaties in lists marked (A) see p. 871.⁷ In its treaty of peace of 27 Nov., 1919, Bulgaria pledged most-favored-nation treatment in customs matters to the Allied and Associated Powers until 9 Aug., 1921. On 10 Nov., 1920, the United States was granted most-favored-nation treatment by Bulgaria. Similar arrangements were made in that year with Austria, Germany, Hungary, Spain, and Sweden. Since 9 Aug., 1921 no country receives favored-nation treatment in Bulgaria.

CZECHOSLOVAKIA.

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
(Principal) Allied and Associated Powers.	Treaty. Peace settlement.	10 Sept. 1919	.....	.....	.....
Austria.....	Treaty of peace.....	..... do. ....	.....	.....	.....
Bulgaria.....	Treaty. Commerce.....	4 May, 1921	.....	.....	.....
France ⁸	Treaty of peace.....	27 Nov., 1919	.....	.....	.....
Germany.....	Convention. Commerce.	4 Nov., 1920	.....	.....	.....
Poland ⁹	Treaty of peace.....	28 June, 1919	.....	.....	.....
Rumania.....	Treaty. Commerce.....	20 Oct., 1921	.....	.....	.....
Serb-Croat-Slovene State.	Agreement. Commerce.	23 Apr., 1921	.....	.....	.....
Spain ¹⁰	Convention. Commerce.	18 Oct., 1920	.....	.....	.....
	Exchange of notes. Commerce.	26 Nov., 1921	.....	.....	.....

DANZIG. (See Poland.)

In accordance with the treaty of 9 November, 1920, Danzig has been included within the Polish customs territory. (See Digest No. 259, p. 473, under III f.) According to the additional protocol signed 15 August, 1921, this incorporation was fixed for 1 January, 1922. (State Department dispatch, No. 212, Danzig, 17 August, 1921.)

DENMARK.

(A)⁵ TREATIES GRANTING SPECIFICED TARIFF RATES (CONVENTIONAL TARIFFS).

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
Portugal.....	Declaration. Commerce.	14 Dec. 1896	.....	.....	.....
Spain.....	Convention. Commerce and navigation.	4 July, 1893	By Spain..... 20 Sept., 1918.	20 June, 1921.	Agreement. Commerce. ¹¹ 18/19 June, 1921. Extended 7 Jan., 1922.

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

America, United States of.	Convention. Commerce and navigation.	26 Apr., 1826	.....	.....	.....
Austria-Hungary.	.....do.....	14 Mar., 1887	.....	.....	.....
Belgium.....	Treaty. Commerce and navigation.	18 June 1895	.....	.....	.....
Bulgaria.....	Exchange of notes. Commerce.	10 Dec., 1909	.....	.....	.....
Chile.....	Treaty. Commerce and navigation.	4 Feb., 1899	.....	.....	.....
China.....	Treaty. Friendship, commerce, and navigation. (Not reciprocal).	13 July, 1863	.....	.....	.....

⁵ For explanations concerning treaties in lists marked (A) see p. 871.

⁸ This treaty does not contain the general most-favored-nation treatment clause but contains specific provisions for most-favored-nation treatment in regard to customs duties.

⁹ State Department dispatch No. 43, Prague, 8 Feb., 1922. (Text not given.) Does not contain the general most-favored-nation clause.

¹⁰ For summary see Bd. Tr. J., 15 Dec., 1921. Does not contain the general most-favored-nation clause.

¹¹ State Department dispatch No. 2500, San Sebastian, 8 Aug., 1921, and No. 111, Madrid, 28 Jan., 1922.

DENMARK—Continued.

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES—Continued.

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
France ¹²	Convention. Commerce.	9 Feb., 1842	.....	.....	.....
Great Britain.	Treaty. Peace and commerce.	13 Feb. 1660/1	.....	.....	.....
.....do.....	.....	11 July, 1670	.....	.....	.....
Greece.....	Treaty. Commerce and navigation.	25 Dec., 1843	.....	.....	.....
Italy.....	.....do.....	31 Oct., 1846	.....	.....	.....
Japan.....	.....do.....	1 May, 1864	.....	.....	.....
.....do.....	.....	12 Feb., 1912	.....	.....	.....
Liberia.....	Convention. Customs.	.....do.....	.....	.....	.....
.....	Treaty. Friendship, commerce, and navigation.	1 May, 1860	.....	.....	.....
Mexico.....	Convention. Friendship and commerce.	3 May, 1910	.....	.....	.....
Morocco.....	Treaty. Peace and commerce.	25 July, 1767	.....	.....	.....
Norway.....	Treaty. Commerce and navigation.	2 Nov., 1826	.....	.....	.....
Persia.....	Treaty. Friendship and commerce.	30 Nov., 1857	.....	.....	.....
Rumania.....	Convention. Commerce and navigation.	11 Apr., 1910	.....	.....	.....
Russia.....	Treaty. Commerce and navigation.	2 Mar., 1895	.....	.....	.....
Serb - Croat - Slovene State.	Declaration. Most-favored - nation treatment.	30 Nov., 1909	.....	.....	.....
Siam.....	Treaty. Friendship, commerce, and navigation.	21 May, 1858	.....	.....	.....
Switzerland..	Treaty. Commerce and establishment.	10 Feb., 1875	.....	.....	.....
Turkey.....	Treaty. Commerce.....	1 May, 1841	.....	.....	.....

ESTHONIA.

(B) TREATIES PLEDGING MOST-FAVORED NATION TREATMENT.

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
Finland ¹³	Agreement. Trade.....	29 Oct., 1921	.....	.....	.....
France ¹⁴.....	.....do.....	6 Jan., 1922	.....	.....	.....
Great Britain.	Agreement. Commerce.	20 July, 1920	.....	.....	.....

FINLAND.

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT.¹⁵

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
Esthonia ¹³ ..	Agreement. Trade.....	29 Oct., 1921	.....	.....	.....
France.....	Convention. Commerce.	13 July, 1921	.....	.....	.....
Russia.....	Treaty of peace.....	14 Oct., 1920	.....	.....	.....

¹² Most-favored-nation treatment is granted in regard to customs matters.¹³ State Department dispatch No. 631, Helsingfors, 4 Nov., 1921. Does not contain the general most-favored-nation clause.¹⁴ For summary see Commerce Reports, 27 Mar., 1922. Does not contain the general most-favored-nation clause.¹⁵ These treaties do not contain the general most-favored-nation clause but the treaty with France contains specific most-favored-nation provisions in regard to customs matters.

FRANCE.

(A) ⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS). ¹⁶

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ⁶ —
Austria-Hungary.	Convention. Commerce	18 Feb., 1884	.....	13 Aug., 1914	Treaties of peace. 10 Sept., 1919.
Bulgaria.....	Treaty. Commerce and navigation.	13 Jan., 1906	.....	16 Oct., 1915 ²	4 June, 1920.
Greece.....	Agreement. Commerce.	20 Feb., 1891	By France... 10 Sept., 1918.	.....	Treaty of peace. 27 Nov., 1919.
Italy.....	Agreement. Commerce.	21 Nov., 1898	By Italy..... 10 Jan., 1917.	1 Mar., 1922 ¹⁷	
Japan.....	Convention. Commerce and navigation.	19 Aug., 1911	By France... 10 Sept., 1918.	.....
Portugal.....	Exchange of notes. Commerce.	17 Feb., 1911	6 Sept., 1918.	.....	Commercial agreement. ¹⁸ 30 Jan., 1922.
Rumania.....	Convention. Commerce and navigation.	6 Mar., 1907	.....	.....	(To terminate 30 June, 1922.)
Serb-Croat-Slovene State.	Convention. Commerce and navigation.	5 Jan., 1907	6 Sept., 1918.	10 July, 1921	
Switzerland..	Convention. Commerce	20 Oct., 1906	.....do.....	1 July, 1921	

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.¹⁶

Argentina....	Convention. Commerce.	19 Aug., 1892	.....	.....
Belgium.....	Agreement. Commerce.	15 Jan., 1892	.....	.....
Brazil.....	Declarations. Commerce.	30 Jan., 1892	.....	.....
Canada.....	Convention. Commerce.	26 June, 1900	.....	.....
		30 June, 1900	.....	.....
		19 Sept., 1907	By France... 10 Sept., 1918.	19 June, 1920.	Arrangement. Commerce. 29 Jan., 1921.
		23 Jan., 1909	.....	.....
Colombia....	Convention. Commerce and navigation.	30 May, 1892	.....	.....
Costa Rica...	Convention. Commerce.	7 June, 1901	.....	.....
Czechoslovakia.	.....do.....	4 Nov., 1920	.....	.....
Denmark (including Iceland and Faroe Islands).	.....do.....	9 Feb., 1842	.....	.....
Dominican Republic.	Treaty. Commerce and navigation.	9 Sept., 1882	By France... 30 Aug., 1918	.....
Ecuador.....	Convention. Commerce and navigation.	30 May, 1898	.....	.....
Egypt.....	.....do.....	26 Nov., 1902	By France... 10 Sept., 1918	.....
Esthonia ¹⁴ ...	Agreement. Trade.....	6 Jan., 1922	.....	.....
Ethiopia.....	Treaty. Friendship and commerce.	10 Jan., 1908	.....	.....
Finland.....	Convention. Commerce	13 July, 1921	.....	.....
Germany.....	Treaty of peace.....	10 May, 1871	.....	3 Aug., 1914 ²	Treaty of peace. 28 June, 1919.

² Date of declaration of war.⁵ For explanations concerning treaties in lists marked (A) see p. 871.¹⁶ For summary see Commerce Reports, 27 Mar., 1922.¹⁶ The treaties with the following countries do not contain the general most-favored-nation clause: Brazil, Canada, Costa Rica, Czechoslovakia, Denmark, Esthonia, Finland, Haiti, Italy, Netherlands, Nicaragua, Persia, Poland, Portugal, Salvador, and Spain.¹⁷ To be extended if a new commercial *modus vivendi* has not been signed.¹⁸ For summary see Commerce Reports, 27 Feb., 1922.

FRANCE—Continued.

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES—Continued.

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
Great Britain.	Convention. Commerce and navigation.	26 Jan., 1826	By France... 10 Sept., 1918 (now terminable on 3 months' notice).		
		28 Feb., 1882	do.....		
	Convention. Tunis.....	18 Sept., 1897	do.....		
	Convention. Zanzibar..	27 June, 1901	do.....		
	Convention. Seychelles Islands.	16 Apr., 1902	By France... 10 Sept., 1918	5 Sept., 1920	
	Convention. Jamaica...	8 Aug., 1902	By France... 10 Sept., 1918 (now terminable on 3 months' notice).		
	Convention. India.....	19 Feb., 1903	do.....		
	Convention. Ceylon....	do.....	do.....		
	Convention. British protectorates of East Africa, Central Africa, and Uganda.	23 Feb., 1903	do.....		
	Declaration. Egypt and Morocco.	8 Apr., 1904	do.....		
	Convention. Barbados..	9 Jan., 1907	do.....		
Haiti.....	Convention. Commerce.	30 Jan., 1907	do.....		
Honduras....	Treaty. Commerce and navigation.	22 Feb., 1856	do.....		
Liberia.....	do.....	17 Apr., 1852	do.....		
Mexico.....	do.....	27 Nov., 1886	do.....		
Montenegro...	Convention. Commerce and navigation.	30 June, 1892	do.....		
Muscat.....	Treaty. Friendship and commerce.	17 Nov., 1844	do.....		
Netherlands..	Exchange of notes.	27 Jan., 1892	do.....		
	Commerce.	28 Jan., 1892	do.....		
Nicaragua....	Convention. Commerce.	27 Jan., 1902	By France... 6 Sept., 1918		
Norway.....	Treaty. Commerce....	30 Dec., 1881	By France... 30 Aug., 1918		Agreement. Wine and spirits. 23 Apr., 1921.
Paraguay.....	Convention. Commerce.	13 July, 1892	do.....		
	Convention. Commerce and navigation.	21 July, 1892	do.....		
Persia.....	Treaty. Friendship and commerce.	12 July, 1855	do.....		
Poland ²²	Agreement. Commerce.	6 Feb., 1922	do.....		
Salvador.....	Convention. Commerce.	9 Jan., 1901	By France... 6 Sept., 1918		
Spain (including Balearic Islands, Canary Islands, and Spanish possessions in Morocco).	Exchange of notes. Commerce.	30 Dec., 1893	By France... 10 Sept., 1918	10 Dec., 1921	
Sweden.....	Treaty. Commerce....	30 Dec., 1881	By France... 10 Sept., 1918		
	Convention. Commerce.	13 July, 1892	do.....		
Turkey.....	do.....	25 Nov., 1838	do.....	5 Nov., 1914 ²	
Venezuela....	Convention. Commerce and navigation.	19 Feb., 1902	do.....		
Zanzibar.....	Treaty. Friendship and commerce.	17 Nov., 1844	do.....		

² Date of declaration of war.²² For summary see Commerce Reports, 27 Feb., 1922.

GERMANY.²³(A) ⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by:—
Austria-(Hungary).	Conventions. Commerce and customs.	6 Dec., 1891	.....	.....	Economic agreement. 1 Sept., 1920.
	Agreement. Commerce.	25 Jan., 1905	.....	.....	(Continues tariff rates of treaty of 25 Jan., 1905).
Belgium.....	Treaty. Commerce and customs.	6 Dec., 1891	.....	4 Aug., 1914 ²	Treaty of peace. 28 June, 1919.
	Treaty. Commerce.....	22 June, 1904	.....	.....
Bulgaria.....	Treaty. Commerce, customs, and navigation.	1 Aug., 1905	.....	.....
Greece.....	Treaty. Commerce and navigation.	9 July, 1884	.....	28 Nov., 1916 ²	Do.
Italy.....	do.....	6 Dec., 1891	.....	28 Aug., 1915 ²	Do.
	Treaty. Commerce.....	3 Dec., 1904	.....	.....
Japan.....	Convention. Customs...	24 June, 1911	.....	23 Aug., 1914 ²	
Portugal.....	Treaty. Commerce and navigation.	30 Nov., 1908	.....	23 Nov., 1914 ¹	Do. Agreement. Most-favored-nation treatment. ²⁴
Rumania.....	Treaty. Commerce, customs, and navigation.	21 Oct., 1893	.....	14 Sept., 1916 ²	6 Dec., 1921. Treaty of peace. 28 June, 1919.
Russia ²⁵	Treaty. Commerce and navigation.	10 Feb., 1894	.....	1 Aug., 1914 ²	
Serb-Croat-Slovene State.	Treaty. Commerce and customs.	21 Aug., 1892	.....	6 Aug., 1914 ²	Do. Treaty. Commerce. ²⁶
Sweden.....	Treaty. Commerce.....	2 May, 1911	By Sweden. 15 Dec., 1920	16 Mar., 1921	5 Dec., 1921. 4 Feb., 1922.
			By Germany, 1919.	6 June, 1921 ²⁷	
Switzerland..	Treaty. Commerce and customs.	10 Dec., 1891	.....	.....
	Treaty. Commerce.....	12 Nov., 1904	.....	.....

² Date of declaration of war.⁵ For explanations concerning treaties in lists marked (A), see p. 871.²³ The United States is granted most-favored-nation treatment in Germany by law of 5 Feb., 1910; Great Britain by law of 1901, renewed periodically.²⁴ State Department dispatch No. 1337, Berlin, 9 Dec., 1921; Bd. Tr. J. 29 Dec., 1921.²⁵ For Trade agreement at present in force between Germany and Russia, see Digest No. 331, p. 587. It contains neither most-favored-nation nor tariff provisions.²⁶ State Department dispatch No. 1246, Belgrade, 28 Feb., 1922.²⁷ The text of the treaty between Germany and Switzerland remains in force, but the tariff rates are terminated.

GERMANY—Continued.

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
America, United States of.	Treaty of peace.....	25 Aug., 1921	.....	.....
Argentina.....	Treaty. Commerce and navigation.	19 Sept., 1857	.....	.....
Bolivia.....	Treaty. Friendship and commerce.	22 July, 1908	.....	14 Apr., 1917 ²	Treaty of peace. 28 June, 1919.
Brazil.....	Treaty of peace.....	28 June, 1919	.....	.....
Chile.....	Treaty. Peace, commerce, and navigation.	1 Feb., 1862	.....	.....
China.....	Treaty. Friendship, commerce, and navigation.	2 Sept., 1861	.....	14 Aug., 1917 ²	Agreement. Commerce. 20 May, 1921.
Colombia.....	Treaty. Commerce.....	23 July, 1892	.....	.....
Cuba.....	Treaty of peace.....	28 June, 1919	.....	.....
Czechoslovakia.	.....do.....	.....do.....	.....	.....
Ecuador.....	Treaty. Friendship.	28 Mar., 1887	.....	8 Dec., 1917 ²	
Egypt.....	Convention. Commerce.	19 July, 1892	.....	13 Aug., 1914 ²	Treaty of peace. 28 June, 1919.
Ethiopia.....	Treaty. Friendship and commerce.	7 Mar., 1905	.....	.....
France.....	Treaty of peace.....	10 May, 1871	.....	3 Aug., 1914 ²	Do.
Guatemala.....	.....do.....	28 June, 1919	.....	.....
Haiti.....	.....do.....	.....do.....	.....	.....
Honduras.....	Treaty. Commerce, etc.	12 Dec., 1887	.....	17 May, 1917 ²	Do.
Hungary.....	Treaty. Commerce.....	1 June, 1920	.....	.....
Japan.....	Treaty. Commerce and navigation.	24 June, 1911	.....	23 Aug., 1914 ²	Do.
Liberia.....	.....do.....	31 Oct., 1867	.....	4 Aug., 1917 ²	Do.
Mexico.....	Treaty. Friendship, commerce, and navigation.	5 Dec., 1882	.....	.....
Montenegro...	Convention. Commerce and navigation.	18 June, 1907	.....	9 Aug., 1914 ²	
Morocco.....	Treaty. Commerce.....	1 June, 1890	.....	.....
Netherlands...	Treaty. Commerce and navigation.	31 Dec., 1851	.....	.....
Nicaragua.....	Convention. Commercial and consular.	4 Feb., 1896	.....	7 May, 1918 ²	Do.
Norway.....	Treaty. Commerce and navigation.	14 Mar., 1827	.....	.....
Panama.....	Treaty of peace.....	28 June, 1919	.....	.....
Paraguay.....	Treaty. Commerce.....	21 July, 1887	.....	.....
Persia.....	Treaty. Friendship, commerce, and navigation.	11 June, 1873	.....	.....
Peru.....	Treaty of peace.....	28 June, 1919	.....	.....
Poland.....	.....do.....	.....do.....	.....	.....
Siam.....	.....do.....	.....do.....	.....	.....
Spain.....	Exchange of notes. Commerce.	12 Feb., 1899	20 Dec., 1921	20 Dec., 1922	
Turkey.....	Treaty. Commerce, friendship, and navigation.	26 Aug., 1890	.....	.....
Uruguay.....	Treaty of peace.....	28 June, 1919	.....	.....
Venezuela.....	Treaty. Friendship, commerce, and navigation.	26 Jan., 1909	.....	.....
Zanzibar.....	.....do.....	13 June, 1859	.....	.....

² Date of declaration of war.

GREAT BRITAIN.²³(A) TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).²⁹

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ³ —
Bulgaria.....	Convention. Commerce, customs, and navigation.	9 Dec., 1905	15 Oct., 1915 ²	Treaty of peace, 27 Nov., 1919.
Greece.....	Agreement. Commerce.	28 Mar., 1890	By Greece 3 Mar., 1919.	.....
	Declarations. Commerce.	23 Nov., 1904	.....do.....	.....
		17 May, 1905	.....	.....
Japan.....	Treaty. Commerce and navigation.	3 Apr., 1911	.....	.....
Rumania.....	Treaty. Commerce and navigation.	31 Oct., 1905	By Rumania 18 Apr., 1921.	18 Apr., 1922	
Serb - Croat-Slovene State.	Treaty. Commerce....	17 Feb., 1907	.....	10 July, 1921

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

America, United States of.	Convention. Commerce.	3 July, 1815	Treaties of peace. 10 Sept., 1919. 4 June, 1920.
Argentina....	Treaty. Friendship, commerce, and navigation.	2 Feb., 1825	.....	.....
Austria-Hungary.	Treaty. Commerce.....	5 Dec., 1876	.....	13 Aug., 1914 ²
Belgium.....	Exchange of notes. Commerce and navigation.	27 July, 1898	.....	.....
Bolivia.....	Treaty. Commerce....	1 Aug., 1911	.....	.....
Borneo.....	Treaty. Friendship and commerce.	27 May, 1847	
China.....	Treaty of Tientsin. (Not reciprocal.)	26 June, 1858	.....	.....
	Treaty. Commerce... (Not reciprocal.)	5 Sept., 1902	.....	.....
Colombia.....	Treaty. Friendship, commerce, and navigation.	16 Feb., 1866	.....	.....
Costa Rica....	do.....	27 Nov., 1849	.....	.....
Czechoslovakia.	Treaty. Peace settlement.	10 Sept., 1919	.....	.....
Denmark.....	Treaty. Peace and commerce.	13 Feb., 1660/1	.....	.....
	do.....	12 July, 1670	.....	.....
Egypt.....	Convention. Commerce.	29 Oct., 1889	.....	.....
Esthonia.....	Agreement. Commerce.	20 July, 1920	.....	.....
Ethiopia.....	Treaty. Commerce. (Not reciprocal.)	14 May 1897	.....	.....
France.....	Convention. Commerce and navigation.	26 Jan 1825	By France 10 Sept., 1918 (now terminable on 3 months' notice.)	.....
		28 Feb., 1882	.....do.....	.....
	Convention. Tunis....	18 Sept., 1897	.....do.....	.....
	Convention. Zanzibar.	27 June, 1901	.....do.....	.....
	Convention. Seychelles Islands.	10 Apr., 1902	By France... 10 Sept., 1918.	5 Sept. 1920	

² Date of declaration of war.³ For explanation concerning treaties in lists marked (A), see p. 871.²⁸ A German law, renewed periodically, has granted great Britain most-favored-nation treatment since 1901.²⁹ The agreements with Greece do not contain the general most-favored-nation clause.

GREAT BRITAIN—Continued.

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS, OR PROVIDING FOR MINIMUM TARIFF RATES—Continued.

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
France.....	Convention. Jamaica...	8 Aug., 1902	By France... 10 Sept., 1918 (now terminable on 3 months' notice.)		
	Convention. India.....	19 Feb., 1903	.....do.....		
	Convention. Ceylon.....	.....do.....	.....do.....		
	Convention. British protectorates of East Africa, Central Africa, and Uganda.	23 Feb., 1903	.....do.....		
	Declaration. Egypt and Morocco.	8 Apr., 1904	.....do.....		
	Convention. Barbados..	9 Jan., 1907	.....do.....		
Germany.....	Treaty of peace.....	28 June, 1919			
Greece.....	Treaty. Commerce and navigation.	10 Nov., 1886	By Greece... 3 Mar., 1919		
Honduras.....	.....do.....	5 May 1910			
Italy.....	.....do.....	15 June, 1883			
Liberia.....	.....do.....	21 Nov., 1848			
Mexico.....	.....do.....	27 Nov., 1888			
Montenegro...	Convention. Commerce and navigation.	11 Jan., 1910			
Morocco.....	.....do.....	9 Dec., 1856			
Muscat.....	Treaty. Friendship and commerce. (Not reciprocal.)	19 Mar., 1891			
Netherlands..	Treaty. Commerce and navigation.	27 Oct., 1837			
Nicaragua....	Treaty. Friendship, commerce, and navigation.	28 July, 1905			
Norway.....	Convention. Commerce and navigation.	18 Mar., 1826			
Paraguay.....	Treaty. Friendship, commerce, and navigation.	16 Oct., 1834			
Persia.....	Treaty of peace.....	4 Mar., 1857			
Portugal.....	Convention. Commerce	9 Feb., 1903			
	Treaty. Commerce and navigation.	12 Aug., 1914			
Russia.....	.....do.....	12 Jan., 1859	By Russia.... 24 Oct., 1917	24 Oct., 1918	Trade agreement. 16 Mar., 1921.
	Agreement. Commerce (Zanzibar).	24 Aug., 1896			
Siam.....	Treaty. Friendship and commerce.	18 Apr., 1855			
Spain ³⁰	Exchange of notes. Commerce.	20 June, 1894			
		29 June, 1894			
Sweden.....	Convention. Commerce and navigation.	18 Mar., 1826			
Switzerland..	Treaty. Friendship, commerce, etc.	6 Sept., 1855			
Tonga.....	Treaty. Friendship....	29 Nov., 1879			
Turkey.....	Capitulations.....	1675		5 Nov., 1914 ²	
Venezuela....	Treaty. Friendship, commerce, and navigation.	18 Apr., 1825			

¹ Date of declaration of war.³⁰ Minimum tariff rates are granted by Spain to British goods.

GREECE.

(A)⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).³¹

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ³² —
France.....	Agreement. Commerce.	20 Feb., 1891	By France... 10 Sept., 1918.	Treaty of peace. 28 June, 1919.
Germany.....	Treaty. Commerce and navigation.	9 July, 1884	.....	28 Nov., 1916 ²
Great Britain.	Agreement. Commerce.	28 Mar., 1890	By Greece....	.....
	Declarations. Commerce.	23 Nov., 1904	3 Mar., 1919	.....
		17 May, 1905	.....do.....	.....
Italy.....	Protocol. Commerce and navigation. ³²	30 Dec., 1889	By Italy.....	
			18 June, 1917	.....
Turkey.....	Treaty. Commerce and navigation.	12 Apr., 1903	2 July., 1917 ²	

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

America, United States of.	Treaty. Commerce and navigation.	22 Dec., 1837	By Greece.... 26 Jan., 1920 ³³	Treaties of peace. 10 Sept., 1919. 4 June, 1920.
Austria-Hungary.	Convention. Commerce and navigation.	11 Apr., 1887	.....	2 July, 1917 ²
Belgium.....	Treaty. Commerce and navigation.	25 May, 1895	.....	.....
Bulgaria.....	Treaty of peace.....	27 Nov., 1919	.....	28 Nov., 1916 ²
Denmark.....	Treaty. Commerce and navigation.	25 Dec., 1843	.....	.....
Egypt.....	Treaty. Commerce.....	31 Oct., 1846	
Great Britain.	Treaty. Commerce and navigation.	4 June, 1906	.....	.....
		10 Nov., 1886	By Greece... 3 Mar., 1919	.....
Japan.....	.....do.....	1 June, 1899	.....	.....
Montenegro...	Convention. Commerce and navigation.	14 Mar., 1908	.....	.....
Netherlands..	Treaty. Commerce and navigation.	22 Feb. 1843	
Norway.....	.....do.....	27 Oct., 1852	By Greece... 24 Mar., 1919.	.....
Persia.....	Treaty. Friendship, commerce, and navigation.	28 Oct., 1861	.....	.....
Rumania.....	Convention. Commerce.	17 Mar., 1914	.....	.....
Russia.....	Treaty. Commerce and navigation.	24 June, 1850	.....	.....
Serb - Croat-Slovene State.	Agreement. Commerce.	17 June, 1894	
Spain.....	Treaty. Commerce and navigation.	23 Sept., 1903	By Greece... 20 Feb., 1919.	.....
Sweden.....	.....do.....	27 Oct., 1852	.....	.....
Switzerland..	Convention. Commerce.	10 June, 1887	By Greece... 18 Mar., 1920.	.....

² Date of declaration of war.⁵ For explanations concerning treaties in list marked (A), see p. 871.³¹ The agreements with Great Britain and Italy do not contain the general most-favored-nation clause.³² By exchange of notes of 29 Dec., 1917, Greece renounced the preferential treatment granted Greek wines. On 17 Sept., 1920, the protocol was prorogued with this modification. (State Department dispatch, Rome, 23 Jan., 1922.)³³ Made terminable on 3 months' notice by agreement of 18 Oct., 1920. See footnote, p. 132.

HUNGARY.³⁴

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS.

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
Allied and Associated Powers.	Treaty of peace.....	4 June, 1920	.....	.....
America, United States of.	.....do.....	29 Aug., 1921	.....	.....
Germany.....	Treaty. Commerce.....	1 June, 1920	.....	.....

ITALY.

(A) TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).³⁵

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
Austria-Hungary.	Treaty. Commerce and navigation.	11 Feb., 1906	.....	24 May, 1915 ²	Treaties of peace. 10 Sept., 1919. 4 June, 1920.
Brazil ³⁵	Agreement. Tariff.....	5 July, 1900	.....	.....
Bulgaria.....	Treaty. Commerce, customs, and navigation.	13 Jan., 1906	.....	19 Oct., 1915 ²	Treaty of peace. 27 Nov., 1919.
Canada ³⁵	Agreement. Commerce.	6 June, 1910	.....	.....
France ³⁵.....	.....do.....	21 Nov., 1898	By Italy..... 10 Jan., 1917.	1 Mar., 1922 ³⁶	
Germany.....	Treaty. Commerce and navigation.	6 Dec., 1891	.....	28 Aug., 1915 ²	Treaty of peace. 28 June, 1919.
Greece ³⁵	Treaty. Commerce.....	3 Dec., 1904	.....	.....
	Protocol. Commerce and navigation. ³⁷	30 Dec., 1899	By Italy..... 18 June, 1917.	.....
Japan.....	Treaty. Commerce and navigation.	25 Nov., 1912	By Italy..... 24 Dec., 1916.	.....
Rumania.....	Treaty. Commerce, customs, and navigation.	5 Dec., 1906	By Italy..... 10 Jan., 1917.	.....	Exchange of notes. ³⁸ Most-favored-nation treatment. 21 July, 1921.
Russia.....	Treaty. Commerce and navigation.	28 June, 1907	.....do.....	31 Dec., 1917	Treaty. Trade. ³⁹ 26 Dec., 1921.
Serb-Croat-Slovene State.	.....do.....	14 Jan., 1907	.....do.....	10 July, 1921 ⁴⁰	
Spain.....	Convention. Commerce and navigation.	30 Mar., 1914	By Italy..... 10 Jan., 1917.	26 June, 1921	
Switzerland..	Treaty. Commerce.....	13 July, 1904	By Italy..... 10 Jan., 1917.	.....

² Date of declaration of war.³ For explanations concerning treaties in lists marked (A), see p. 871.³⁴ See also list under Austria. Hungary considers all treaties in force between Austria-Hungary and neutral powers in 1914 and not terminated since as being still in force for Hungary.³⁵ This treaty does not contain the general most-favored-nation treatment clause.³⁶ To be extended if a new commercial *modus vivendi* has not been signed.³⁷ By exchange of notes of 29 Dec., 1917, Greece renounced the preferential treatment granted Greek wines. On 17 Sept., 1920, the protocol was prorogued with this modification. (State Department dispatch, Rome, 23 Jan., 1922.)³⁸ State Department dispatch, Rome, 23 Jan., 1922.³⁹ Cur. Hist., XV: 1034.⁴⁰ The text of the treaty between Italy and the Serb-Croat-Slovene State remains in force but the tariff rates are terminated.

ITALY—Continued.

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
America, United States of.	Treaty. Commerce and navigation.	26 Feb., 1871	.....	.....	.....
Belgium.....	.....do.....	11 Dec., 1882	.....	.....	.....
Chile.....	.....do.....	12 July, 1898	.....	.....	.....
China.....	Treaty. Friendship, commerce, and navigation. (Not reciprocal.)	26 Oct., 1866	.....	.....	.....
Colombia.....	Treaty. Friendship, commerce, and navigation.	27 Oct., 1892	.....	.....	.....
Cuba.....	.....do.....	29 Dec., 1903	.....	.....	.....
Denmark.....	Treaty. Commerce and navigation.	1 May, 1864	.....	.....	.....
Dominican Republic.	.....do.....	18 Oct., 1836	.....	.....	.....
Ecuador.....	Treaty. Establishment, commerce, and navigation.	12 Aug., 1900	.....	.....	.....
Egypt.....	Convention. Commerce and navigation.	14 July, 1906	.....	.....	.....
Ethiopia.....	Treaty. Commerce and friendship.	21 July, 1906	.....	.....	.....
Great Britain.	Treaty. Commerce and navigation.	15 June, 1883	.....	.....	.....
Guatemala.....	.....do.....	28 Feb., 1916	.....	.....	.....
Honduras.....	.....do.....	31 Dec., 1868	.....	.....	.....
Hungary.....	Treaty of peace.....	4 June, 1920	.....	.....	.....
Liberia.....	Treaty. Friendship, commerce, and navigation.	23 Oct., 1862	.....	.....	.....
Mexico.....	.....do.....	16 Apr., 1890	.....	.....	.....
Montenegro.....	Agreement. Commerce.	21 Dec., 1903	.....	.....	.....
Morocco.....	Treaty. Peace and commerce.	22 Dec., 1903	.....	.....	.....
Netherlands..	Treaty. Commerce and navigation.	30 June, 1825	.....	.....	.....
Nicaragua.....	Treaty. Friendship, commerce, and navigation.	24 Nov., 1863	.....	.....	.....
Norway.....	Treaty. Friendship, commerce, and navigation.	25 Jan., 1906	.....	.....	.....
Norway.....	Treaty. Commerce and navigation.	14 July, 1862	.....	.....	.....
Panama.....	Treaty. Friendship, commerce, and navigation.	27 Oct., 1892	.....	.....	.....
Paraguay.....	.....do.....	22 Aug., 1893	.....	.....	.....
Persia.....	Treaty. Friendship and commerce.	24 Sept., 1862	.....	.....	.....
Peru.....	Treaty. Commerce and navigation.	23 Dec., 1874	.....	.....	.....
Portugal.....	Agreement. Commerce, customs, and navigation.	9 May, 1911	.....	.....	.....
Salvador.....	Treaty. Friendship, commerce, and navigation.	27 Oct., 1860	.....	.....	.....
Sweden.....	Treaty. Commerce and navigation.	14 July, 1862	.....	.....	.....
Turkey.....	Treaty of peace.....	18 Oct., 1912	.....	21 Aug., 1915 ²	.....
Venezuela.....	Treaty. Friendship, navigation, and commerce.	19 July, 1851	.....	.....	.....

² Date of declaration of war.

JAPAN.

(A)⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS):

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ⁶ —
France.....	Convention. Commerce and navigation.	19 Aug., 1911	By France... 10 Sept., 1918		
Germany.....	Convention. Customs...	24 June, 1911			
Great Britain.	Treaty. Commerce and navigation.	3 Apr., 1911			
Italy.....	.....do.....	25 Nov., 1912	By Italy..... 24 Dec., 1916		

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS.

America, United States of.	Treaty. Commerce and navigation.	21 Feb., 1911			
Argentina....	Treaty. Friendship, commerce, and navigation.	3 Feb., 1898			
Austria-Hungary.	Treaty. Commerce and navigation.	28 Oct., 1912			Treaties of peace - 10 Sept., 1919. 4 June, 1919.
Belgium.....	Agreement. Commerce.	8 July, 1911			
Bolivia.....	Treaty. Commerce.....	13 Apr., 1914			
Brazil.....	Treaty. Friendship, commerce, and navigation.	5 Nov., 1895			
Chile.....	.....do.....	25 Sept., 1897			
China.....	Treaty. Commerce and navigation (not reciprocal).	21 July, 1896			
Colombia.....	Treaty. Friendship, commerce, and navigation.	25 May, 1908			
Czechoslovakia.	Treaty. Peace settlement.	10 Sept., 1919			
Denmark.....	Treaty. Commerce and navigation.	12 Feb., 1912			
Ecuador.....	Convention. Customs... ..do.....	26 Aug., 1918			
Germany.....	Treaty. Commerce and navigation.	24 June, 1911			
Greece.....	.....do.....	1 June, 1899			
Mexico.....	Treaty. Friendship and commerce.	30 Nov., 1888			
Netherlands..	Treaty. Commerce and navigation.	6 July, 1912			
Norway.....	.....do.....	16 June, 1911			
Peru.....	Convention. Customs... ..do.....	20 Mar., 1895			
Russia.....	Treaty. Commerce and navigation.	28 July, 1907			
Siam.....	Treaty. Friendship, commerce, and navigation.	25 Feb., 1898			
Spain.....	Convention. Commerce. ²⁰	28 Mar., 1900			
	Treaty. Amity and general relations.	15 May, 1911			
Sweden.....	Treaty. Commerce and navigation.	19 May, 1911			
	Convention. Customs. ²⁰ ..do.....	21 June, 1911			
Switzerland..	Treaty. Establishment and commerce.	21 June, 1911			

⁵ For explanations concerning treaties in lists marked (A) see p. 871.²⁰ Most-favored-nation treatment is granted in regard to customs duties.

LUXEMBURG. (See Belgium.)

Luxemburg withdrew from the German customs union on 1 Jan., 1919. (B. F. S. P. III: 768.) On 25 July, 1921, a convention was signed between Belgium and Luxemburg establishing an economic union between the two countries. (State Department dispatch, No. 1280, Brussels, 2 Aug., 1921.)

MONTENEGRO.**(A)^a TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).**

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ^a —
Serb-Croat-Slovene State.	Treaty. Commerce.....	14 Jan., 1905	.....	10 July, 1921	

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

Austria-Hungary.	Treaty. Commerce and navigation.	6 Feb., 1911	.....	8 Aug., 1914 ²	
Belgium.....	Agreement. Commerce.	9 Dec., 1904	.....	
Bulgaria.....	Convention. Commerce and navigation.	9 May, 1909	.....	
Egypt.....	Exchange of notes. Commerce and navigation.	30 Mar., 1905	.....	
France.....	Convention. Commerce and navigation.	12 July, 1905 30 June, 1892	.....	
Germany.....	do.....	18 June, 1907	.....	9 Aug., 1914 ²	
Great Britain.	do.....	11 Jan., 1910	.....	
Greece.....	do.....	14 Mar., 1908	.....	
Italy.....	Agreement. Commerce.	21 Dec., 1903	.....	
Netherlands..	Convention. Commerce and navigation.	22 Dec., 1903 8 Dec., 1908	.....	
Rumania.....	do.....	7 Oct., 1911	.....	
Russia.....	Treaty. Commerce and navigation.	15 Dec., 1909	.....	
Switzerland...	Agreement. Commerce.	31 Dec., 1910	.....	
Turkey.....	Convention. Commerce.	4 Mar., 1909	.....	

^a Date of declaration of war.² For explanations concerning treaties in lists marked (A) see p. 871.

NETHERLANDS.

(A)^a TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ^b —
Portugal.....	Declaration. Commerce	5 July, 1894	.....	.....	.....
Spain.....	.....do.....	12 July, 1892	By Spain..... 20 Sept., 1918	20 June, 1921	Agreement. Tariff. ^c 16/24 June, 1921. Extended: 30 Dec., 1921. 5/6 Jan., 1922.
	.....do.....	13 Nov., 1899	.....	.....	.....

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

America, United States of.	Treaty. Commerce and navigation.....	19 Jan., 1839	By United States. 10 May, 1918	10 May, 1919	.....
Austria- Hungary	Treaty. Friendship and commerce.	26 Mar., 1867	.....	.....	.....
Belgium.....	Convention. Commerce and navigation.	12 May, 1863	.....	.....	.....
Bulgaria.....	Exchange of notes. Com- merce.	24 June, 1897	.....	.....	.....
China.....	Treaty. Friendship and commerce. (Not re- ciprocal.)	6 Oct., 1863	.....	.....	.....
Colombia.....	Treaty. Navigation and commerce.	1 May, 1829	.....	.....	.....
France ⁴²	Exchange of notes. Com- merce.	27 Jan., 1892 28 Jan., 1892	.....	.....	.....
Germany.....	Treaty. Commerce and navigation.	31 Dec., 1851	.....	.....	.....
Great Britain.	.....do.....	27 Oct., 1837	.....	.....	.....
Greece.....	.....do.....	22 Feb., 1843	.....	.....	.....
Italy.....	.....do.....	24 Nov., 1863	.....	.....	.....
Japan.....	.....do.....	6 July, 1912	.....	.....	.....
Mexico.....	.....do.....	22 Sept., 1897	.....	.....	.....
Montenegro...	Convention. Commerce and navigation.	8 Dec., 1908	.....	.....	.....
Morocco.....	Declaration. Privileges of subjects, etc.	18 May, 1858	.....	.....	.....
Muscat.....	Declaration. Commerce	7 Apr., 1877 27 Aug., 1877	.....	.....	.....
Norway.....	Treaty. Commerce and navigation.	20 May, 1912	.....	.....	.....
Persia.....	Treaty. Friendship and commerce.	3 July, 1857	.....	.....	.....
Rumania.....	Convention. Commerce.	15 Mar., 1899	.....	.....	.....
Russia.....	Treaty. Commerce and navigation.	13 Sept., 1846	By Russia. 24 Oct., 1917	24 Oct., 1918	.....
Serb-Croat- Slovene State.	Declaration. Commerce.	17 Oct., 1881	.....	.....	.....
Siam.....	Treaty. Friendship, commerce and naviga- tion.	17 Dec., 1860	.....	.....	.....
Sweden.....	Treaty. Commerce and navigation.	25 Sept., 1847	.....	.....	.....
Switzerland...	Treaty. Establishment and commerce.	19 Aug., 1875	.....	.....	.....
Turkey.....	Capitulations.....	15 Sept., 1680	.....	.....	.....

^a For explanations concerning treaties in lists marked (A) see p. 871.⁴² State Department dispatch No. 24, Madrid, 15 Nov. 1921 and Ga. de Madrid, 13/22 Jan., 1922.⁴³ Minimum tariff granted by France in return for most-favored-nation treatment by the Netherlands.

NORWAY.⁴⁴(A)⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ⁵ —
Portugal.....	Treaty. Commerce and navigation.	31 Dec., 1895	By Norway.. 13 Dec., 1919	.....	Exchange of notes. Commerce.
Spain.....	Convention. Commerce and customs.	27 June, 1892	By Spain.... 20 Sept., 1918	3 Feb., 1921	Commercial agreement. ⁴⁵ 1 Dec., 1921. (To terminate 31 Mar., 1922.)
	Convention. Commerce.	25 Aug., 1903	.....	.....

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL. TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

America, United States of.	Treaty. Commerce and navigation.	4 July, 1827	Agreement. Wine and Spirits. 23 Apr., 1921.
Argentina.....	.....do.....	17 July, 1885	.....	.....
Austria-Hungary.	.....do.....	3 Nov., 1873	.....	.....
Belgium.....	.....do.....	27 June, 1910	.....	.....
Bulgaria.....	Exchange of notes. Commerce.	30 July, 1908	.....	.....
China.....	Treaty. Peace, amity, and commerce. (Not reciprocal.)	20 Mar., 1847	.....	.....
Denmark.....	Treaty. Commerce and navigation.	2 Nov., 1826	.....	.....
France.....	Treaty. Commerce.....	30 Dec., 1881	By France.. 30 Aug., 1919	.....
Germany.....	Convention. Commerce.	13 July, 1892	.....	.....
	Treaty. Commerce and navigation.	14 Mar., 1827	.....	.....
Great Britain.	Convention. Commerce and navigation.	18 Mar., 1826	.....	.....
Greece.....	Treaty. Commerce and navigation.	27 Oct., 1852	By Greece.. 24 Mar., 1919	.....
Italy.....	.....do.....	14 July, 1862	.....	.....
Japan.....	.....do.....	16 June, 1911	.....	.....
	Convention. Customs.	.....do.....	.....	.....
Liberia.....	Treaty. Commerce and navigation.	1 Sept., 1863	.....	.....
Mexico.....	.....do.....	29 July, 1885	.....	.....
Morocco.....	Treaty. Peace and commerce.	25 July, 1767	.....	.....
Netherlands..	Treaty. Commerce and navigation.	20 May, 1912	.....	.....
Persia.....	Treaty. Friendship and commerce.	17 Nov., 1857	.....	.....
Rumania.....	Convention. Commerce and navigation.	31 Mar., 1910	.....	.....
Serb - Croat - Slovene State.	Declaration. Commerce and navigation.	9 Mar., 1909	.....	.....
Siam.....	Treaty. Friendship, commerce, and navigation.	18 May, 1868	.....	.....
Switzerland..	Exchange of notes. Commerce.	5 May, 1906	.....	.....
	.....do.....	28 May, 1906	.....	.....
Turkey.....	Protocol. Most-favored-nation treatment.	13 June, 1907	.....	.....

⁵ For explanations concerning treaties in lists marked (A) see p. 871.⁴⁴ A new trade agreement was signed between Norway and Russia 2 Sept., 1921, but it contains neither most-favored nation nor tariff provisions. (Soviet Russia, Nov., 1921: 223.)⁴⁵ Bd. Tr. J. 22 Dec., 1921: 653.

POLAND.

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.⁴⁶

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by—
Czechoslovakia. ⁴⁷	Treaty. Commerce.....	20 Oct., 1921	.....	.....	.....
France ⁴⁸	Agreement. Commerce.	6 Feb., 1922	.....	.....	.....
Rumania.....	Treaty. Commerce.....	1 July, 1921	.....	.....	.....

PORTUGAL.⁴⁸(A)⁴⁹ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ⁵⁰ —
Denmark.....	Declaration. Commerce.	14 Dec., 1896	.....	.....	.....
France ⁴⁹	Exchange of notes. Commerce.	17 Feb., 1911	By France. 10 Sept., 1918	.....	Commercial agreement. ¹⁸ 30 Jan., 1922. (To terminate 30 June, 1922).
Germany.....	Treaty. Commerce and navigation.	30 Nov., 1908	.....	23 Nov., 1916 ²	Treaty of peace. 28 June, 1914. Agreement. Most-favored-nation treatment. 6 Dec., 1921. ³⁹
Netherlands..	Declaration. Commerce.	5 July, 1894	.....	.....	.....
Norway.....	Treaty. Commerce and navigation.	31 Dec., 1895	By Norway, 13 Dec., 1919	.....	Exchange of notes. Commerce. 14 Oct., 1920.
Russia.....	Convention. Commerce and navigation.	9 July, 1895	.....	.....	.....
Serb-Croat-Slovene State.	Convention. Commerce.	3 Sept., 1910	.....	10 July, 1921	.....
Switzerland..	.....do.....	20 Dec., 1905	.....	.....	.....

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

Austria-Hungary.	Exchange of notes. Commerce.	8 July, 1911	.....	16 Mar., 1916 ²	Treaty of peace. 10 Sept., 1919.
Belgium.....	Declaration. Commerce.	11 Dec., 1897	.....	.....	.....
Bulgaria.....	Exchange of notes. Commerce and navigation.	4 June, 1910	.....	.....	.....
China.....	Treaty. Friendship and commerce. (Not reciprocal.)	1 Dec., 1887	.....	.....	.....
Colombia.....	Treaty. Friendship, commerce, navigation, and extradition.	9 Apr., 1857	.....	.....	.....
Great Britain.	Treaty. Commerce and navigation.	12 Aug., 1914	.....	.....	.....
Italy.....	Agreement. Commerce, customs, and navigation.	9 May, 1911	.....	.....	.....
Siam.....	Treaty. Friendship, commerce, and navigation.	10 Feb., 1859	.....	.....	.....
Sweden.....	Declaration. Commerce.	16 Apr., 1904	.....	.....	.....
Turkey.....	.....do.....	11 Jan., 1890	.....	.....	.....
Zanzibar.....	Treaty. Friendship and commerce.	25 Oct., 1879	.....	.....	.....

¹ A decree of 5 Nov. 1921, modifies the Portuguese Customs Tariff and introduces a general tariff to be applied to non-treaty countries. The old tariff, as the minimum tariff, is to be applied in whole or part according to reciprocal advantages given by the country concerned, as may be arranged by the Ministry of Foreign Affairs (Bd. Tr. J. 24 Nov., 1921).

² Date of declaration of war.

³ For explanations concerning treaties in lists marked (A), see p. 871.

¹⁸ For summary see Commerce Reports, 27 Feb., 1922.

⁴⁶ The treaties with Czechoslovakia and France do not contain the general most-favored-nation clause.

⁴⁷ State Department dispatch, No. 43, Prague, 8 Feb., 1922. (Text not given.)

⁴⁸ By royal order of 23 Sept., 1913, Portugal receives most-favored-nation treatment in Spain.

⁴⁹ Agreements with France do not contain the general most-favored-nation clause.

⁵⁰ State Department dispatch, No. 1337, Berlin, 9 Dec., 1921; Bd. Tr. J. 29 Dec., 1921.

RUMANIA.⁵¹(A) ⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS.)⁵²

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ⁵ —
Austria-Hungary.	Convention. Commerce.	21 Dec., 1893	.....	27 Aug., 1916 ²	Treaties of peace. 10 Sept., 1919. 4 June, 1920.
Belgium.....	.....do.....	5 June, 1906	By Rumania. 19 Apr., 1921	19 Apr., 1922	
France.....	Convention. Commerce and navigation.	6 Mar., 1907	By France. 10 Sept., 1918	.....	Treaty of peace. 28 June, 1919.
Germany.....	Treaty. Commerce, customs, and navigation.	21 Oct., 1893	.....	14 Sept., 1916 ²	
Great Britain.	Treaty. Commerce and navigation.	31 Oct., 1905	By Rumania. 18 Apr., 1921	18 Apr., 1922	Exchange of notes. ⁵³ Most-favored-nation treatment. 21 July, 1921.
Italy.....	Treaty. Commerce, customs, and navigation.	5 Dec., 1906	By Italy. 10 Jan., 1917	.....
Turkey.....	Treaty. Commerce.....	12 Aug., 1901	.....	29 Aug., 1916 ²	

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

(Principal) Allied and Associated Powers.	Treaty. Vessels, commerce, transit, etc.	9 Dec., 1919	Treaty of peace. 27 Nov., 1919.
Bulgaria.....	Treaty. Commerce and navigation.	3 Dec., 1907	.....	1 Sept., 1916 ²
Czechoslovakia.	Agreement. Commerce.	23 Apr., 1921	.....	.....
Denmark.....	Convention. Commerce and navigation.	11 Apr., 1910	.....	.....
Greece.....	Convention. Commerce.	17 Mar., 1914	.....	.....
Montenegro...	Convention. Commerce and navigation.	7 Oct., 1911	.....	.....
Netherlands..	Convention. Commerce.	15 Mar., 1899	.....	.....
Norway.....	Convention. Commerce and navigation.	31 Mar., 1910	.....	.....
Poland.....	Treaty. Commerce.....	1 July, 1921	.....	.....
Russia.....	Convention. Commerce and navigation.	9 Mar., 1906	.....	.....
Serb-Croat-Slovene State.	Convention. Commerce.	5 Jan., 1907	.....	.....
Spain.....	.....do.....	1 Dec., 1908	By Rumania. 4 Apr., 1921	4 Apr., 1922
Sweden.....	Convention. Commerce and navigation.	3 Mar., 1910	.....	.....
Switzerland..	Convention. Commerce.	3 Mar., 1893	.....	.....

² Date of declaration of war.⁵ For explanations concerning treaties in lists marked (A), see p. 871.⁵¹ Most-favored-nation treatment is granted the United States by law of 17 Apr., 1912.⁵² Rumania has a new general tariff of 30 June, 1921. In applying its rates, conventional rates granted by the treaties with Belgium and Great Britain are to be applied until 19 Apr., 1922, when these treaties terminate. After that date all countries receive general tariff rates in Rumania. (Commerce Reports, 19 Sept., 1921.)⁵³ State Department dispatch, Rome, 23 Jan., 1922.

RUSSIA.

(A)⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ² —
Austria-Hungary. ⁵⁴	Treaty. Commerce and navigation.	15 Feb., 1906	6 Aug., 1914 ²	Treaty. Trade. ⁵⁶ 26 Dec., 1921.
Germany ⁵⁴ .	Treaty. Commerce and navigation.	10 Feb., 1894	.....	1 Aug., 1914 ²
Italy.....	do.....	28 June, 1907	By Italy..... 10 Jan., 1917.	31 Dec., 1917	
Portugal.....	do.....	9 July, 1895	.....	.....

(B) TREATIES PLEDGING MOST FAVORED-NATION-TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

Belgium.....	Treaty. Commerce and navigation.	9 June, 1858	By Russia... 24 Oct., 1917.	24 Oct., 1918	Trade agreement 16 Mar., 1921.
Bulgaria.....	do.....	8 Mar., 1905	.....	19 Oct., 1915 ²
China.....	Treaty. Commerce, etc. (Not reciprocal.)	13 June, 1858	.....	.....
Denmark.....	Treaty. Commerce and navigation.	2 Mar., 1895	.....	.....
Egypt.....	do.....	13 Mar., 1909	.....	.....
Finland ⁵⁵	Treaty of peace.	14 Oct., 1920	.....	.....
Great Britain.....	Treaty. Commerce and navigation.	12 Jan., 1859	By Russia... 24 Oct., 1917.	24 Oct., 1918	
	Agreement. Commerce (Zanzibar).	24 Aug., 1896	24 Oct., 1917.	.....
Greece.....	Treaty. Commerce and navigation.	24 June, 1850	.....	.....
Japan.....	do.....	28 July, 1907	By Russia... 24 Oct., 1917.	24 Oct., 1918	
Mexico.....	Convention. Commerce and coasting trade.	2 Oct., 1909	Agreement. Commerce. ⁵⁷ 1 Mar., 1922.
Montenegro.....	Treaty. Commerce and navigation.	15 Dec., 1909	.....	.....
Netherlands.....	do.....	13 Sept., 1846	By Russia... 24 Oct., 1917.	24 Oct., 1918	
Persia.....	Treaty. Commerce.....	22 Feb., 1828	.....	.....
Peru.....	Treaty. Commerce and navigation.	16 May, 1874	.....	.....
Rumania.....	Convention. Commerce and navigation.	9 Mar., 1906	.....	.....
Serb-Croat-Slovene State.....	Treaty. Commerce and navigation.	26 Feb., 1907	.....	.....
Siam.....	Declaration. Jurisdiction, commerce, and navigation.	23 June, 1899	.....	.....
Spain ²⁰	Exchange of notes. Commerce and navigation.	6 Feb., 1895	By Russia... 24 Oct., 1917.	24 Jan., 1918	
Sweden.....	Convention. Commerce.	9 Aug., 1906	.....	.....
Switzerland.....	Convention. Settlement and commerce.	26 Dec., 1872	3 Nov., 1914 ²
Turkey.....	Convention. Commerce and navigation.	21 June, 1783	.....	.....

² Date of declaration of war.⁵ For explanations concerning treaties in lists marked (A), see p. 871.²⁰ Most-favored-nation treatment is granted in regard to customs duties.⁵⁴ Treaties have also been signed by Russia with Austria, 8 Dec., 1921 (Cur. Hist. XV: 665); Germany, 6 May, 1921 (see Digest, No. 331); and Norway, 2 Sept., 1921 (Soviet Russia, Nov., 1921), but they contain neither most-favored-nation treatment nor tariff provisions.⁵⁵ The treaty with Finland does not contain the general most-favored-nation clause.⁵⁶ Cur. Hist. XV: 1034.⁵⁷ Nation, 114: 405.

SERB-CROAT-SLOVENE STATE.⁵⁸(A)⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ⁵ —
Austria-Hungary.	Convention. Commerce and navigation.	27 July, 1910	.....	28 July, 1914 ²	Treaties of peace. 10 Sept., 1919. 4 June, 1920. Treaty. Commerce. 27 June, 1920.
Belgium.....	Treaty. Commerce.....	24 Apr., 1907	.....	10 July, 1921	
France.....	Convention. Commerce and navigation.	5 Jan., 1907	By France... 10 Sept., 1918.	10 July, 1921	
Germany.....	Treaty. Commerce and customs.	21 Aug., 1892	.....	30 July, 1914 ²	Treaty of peace. 28 June, 1919. Treaty. Commerce. ⁵⁹ 5 Dec., 1921. 4 Feb., 1922.
Great Britain.	Treaty. Commerce.....	17 Feb., 1907	.....	10 July, 1921	
Italy.....	Treaty. Commerce and navigation.	14 Jan., 1907	By Italy..... 10 Jan., 1917.	.....do.....	
Montenegro....	Treaty. Commerce.....	14 Jan., 1905	.....	.....do.....	
Portugal.....	Convention. Commerce.	3 Sept., 1910	.....	.....do.....	
Switzerland....	Treaty. Commerce.....	28 Feb., 1907	By Switzerland, 1918.	.....

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

America, United States of.	Treaty. Commerce and navigation.	14 Oct., 1881	.....	.....
Bulgaria.....	Treaty Commerce.....	16 Feb., 1897	.....	14 Oct., 1915 ²	Treaty of peace. 27 Nov., 1919.
Czechoslovakia.	Convention. Commerce.	18 Oct., 1920	.....	.....
Denmark.....	Declaration. Most-favored-nation treatment.	30 Nov. 1909	.....	.....
Greece.....	Agreement. Commerce..	17 June, 1894	.....	.....
Netherlands..	Declaration. Commerce.	17 Oct., 1881	.....	.....
Norway.....	Declaration. Commerce and navigation.	9 Mar., 1909	.....	.....
Rumania.....	Convention. Commerce.	5 Jan., 1907	.....	.....
Russia.....	Treaty. Commerce and navigation.	28 Feb., 1907	.....	.....
Spain.....	Convention. Commerce.	5 Nov., 1908	.....	.....
Sweden.....	Declaration. Commerce.	11 Apr., 1907	.....	.....
Turkey.....	Treaty. Commerce.....	28 May, 1906	.....	2 Dec., 1914 ²	

⁵ Date of declaration of war.⁵⁸ For explanations concerning treaties in lists marked (A), see p. 871.⁵⁹ The Serb-Croat-Slovene State has adopted the maximum and minimum system, the new tariff becoming effective 10 July, 1921. Tariff provisions of the old conventional tariff treaties in force up to that time were terminated. The texts of the treaties (i. e., texts as distinguished from tables of rates) are still in force and all countries entitled to most-favored-nation treatment receive minimum rates.⁵⁹ State Department dispatch No. 1246, Belgrade, 28 Feb., 1922.

SPAIN.

(A) ⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS).

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ⁶ —
Denmark.....	Convention. Commerce and navigation.	4 July, 1893	By Spain.... 20 Sept., 1918.	20 June, 1921	Agreement. Commerce. ⁶⁰ 18-19 June, 1921. Extended 7 Jan., 1922.
Italy.....	.....do.....	30 Mar., 1914	By Italy.... 10 Jan., 1917.	26 June, 1921	
Netherlands..	Declaration. Commerce.	12 July, 1892 13 Nov., 1899	By Spain.... 20 Sept., 1918.	20 June, 1921	Agreement. Tariff. ⁶² 16/24 June, 1921. Extended 30 Dec., 1921. 5/6 Jan., 1922.
Norway.....	Convention. Commerce and customs. Convention. Commerce.	27 June, 1892 25 Aug., 1903	.....do.....	3 Feb., 1921	Commercial agreement. ⁶³ 1 Dec., 1921. To terminate 31 Mar., 1922.
Sweden.....	.....do.....	27 June, 1892	.....do.....	20 June, 1921	Exchange of notes. ⁶⁴ Commerce. 19/20 June, 1921. Extended 29 Dec., 1922.
Switzerland..	Treaty. Commerce.....	1 Sept., 1906	.....do.....	20 May, 1921	Exchange of notes. ⁶⁵ Commerce. 12 July, 1921. (To terminate 15 Mar., 1922. ⁶⁶)

⁵ For explanations concerning treaties in lists marked (A), see p. 871.⁶⁰ State Department dispatch No. 2500, San Sebastian, 8 Aug., 1921, and No. 111, Madrid, 28 Jan., 1922.⁶² State Department dispatch No. 24, Madrid, 15 Nov., 1921, and Ga. de Madrid, 13/22 Jan., 1922.⁶³ Bd. Tr. J. 22 Dec., 1921: 663.⁶⁴ State Department dispatch No. 116, Madrid, 2 Feb., 1922; Ga. de Madrid, 22 June, 1921.⁶⁵ State Department dispatch No. 2461, Madrid, 27 June, 1921.⁶⁶ Ibid, Madrid, 4 Mar., 1922.

SPAIN—Continued.

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT⁶⁷ IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by —
Argentina....	Treaty. Peace and friendship.	21 Sept., 1863	.....	.....	.....
Austria.....	Exchange of notes.	30 June, 1892	.....	.....	.....
Hungary.....	Commerce.	22 Feb., 1895	.....	.....	.....
Belgium.....	Modus vivendi. Commerce.	21 Dec., 1921	.....	.....	.....
Bolivia.....	Treaty. Peace and friendship.	21 July, 1847	.....	.....	.....
Bulgaria.....	Exchange of notes. Commerce.	5 Oct., 1908	.....	.....	.....
Chile.....	Treaty. Peace and friendship.	23 Apr., 1844	.....	.....	.....
China.....	Treaty. Amity, commerce, and navigation.	10 Oct., 1864	.....	.....	.....
Colombia.....	Treaty. Peace and friendship.	30 Jan., 1881	.....	.....	.....
Costa Rica.....	do.....	10 May, 1850	.....	.....	.....
Czechoslovakia. ⁶⁸	Exchange of notes. Commerce.	26 Nov., 1921	.....	.....	.....
Ecuador.....	Convention. Commerce.	15 May, 1861	.....	.....	.....
France ⁶⁹	Exchange of notes. Commerce.	30 Dec., 1893	By France... 10 Sept., 1918	10 Dec., 1921	.....
Germany.....	do.....	12 Feb., 1899	By Spain... 20 Dec., 1921	20 Dec., 1922	.....
Great Britain	do.....	.....	20 June, 1894 29 June, 1894	.....	.....
Greece.....	Treaty. Commerce and navigation.	23 Sept., 1903	By Greece... 20 Feb., 1919	.....	.....
Guatemala...	Treaty. Recognition, peace, and friendship.	29 May, 1863	.....	.....	.....
Japan.....	Convention. Commerce.	28 Mar., 1900	.....	.....	.....
.....	Treaty. Amity and general relations.	15 May, 1911	.....	.....	.....
Mexico.....	Treaty. Peace and friendship.	28 Dec., 1836	.....	.....	.....
Morocco.....	Treaty. Commerce.....	20 Nov., 1861	.....	.....	.....
Nicaragua.....	Treaty. Recognition, peace, and friendship.	25 July, 1850	.....	.....	.....
Paraguay.....	Treaty. Peace and friendship.	10 Sept., 1880	.....	.....	.....
Persia.....	Treaty. Friendship and commerce.	4 Mar., 1842	.....	.....	.....
Peru.....	Treaty. Peace and friendship.	14 Aug., 1879	.....	.....	.....
Rumania.....	Convention. Commerce.	1 Dec., 1908	By Rumania. 4 Apr., 1921	4 Apr., 1922	.....
Russia.....	Exchange of notes. Commerce and navigation.	6 Feb., 1895	By Russia... 24 Oct., 1917	24 Jan., 1918	.....
Salvador.....	Treaty. Peace and friendship.	24 June, 1865	.....	.....	.....
Serb-Croat-Slovene State.	Convention. Commerce.	5 Nov., 1908	.....	.....	.....
Siam.....	Treaty. Friendship, commerce, and navigation.	23 Feb., 1870	.....	.....	.....
Turkey.....	Treaty. Peace and commerce.	14 Sept., 1782	.....	.....	.....
Uruguay.....	Treaty. Peace and recognition.	19 July, 1870	.....	.....	.....
Venezuela....	Treaty. Commerce and navigation.	20 May, 1882	.....	.....	.....

⁶⁷ Most-favored-nation treatment is granted in regard to customs duties.⁶⁸ The following countries receive most-favored-nation treatment in Spain by royal orders of various dates:

America, United States of.....	30 Aug., 1906
Cuba.....	16 Nov., 1910
Egypt.....	29 Jan., 1898
Luxemburg.....	18 Feb., 1918
Portugal.....	27 Apr., 1898
Tunis.....	23 Sept., 1913
.....	10 June, 1887

⁶⁹ For summary, see Bd. Tr. J. 15 Dec., 1921. Does not contain the general most-favored-nation clause.

SWEDEN.

(A)⁵ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFFS)

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ² —
Germany.....	Treaty. Commerce.....	2 May, 1911	By Sweden... 15 Dec., 1920	16 Mar., 1921	Exchange of notes. Commerce. ⁶⁹ 19/20 June, 1921. Extended 29 Dec., 1921.
Spain.....	Convention. Commerce.	27 June, 1892	By Spain.... 20 Sept., 1918	20 June, 1921	

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

America, United States of.	Treaty. Commerce and navigation.	4 July, 1827	By United States. 4 Feb., 1918.	4 Feb., 1919	Agreement Commerce. ⁷⁰ 1 Mar., 1922.
Argentina.....	.....do.....	17 July, 1885	.....	.....
Austria-Hungary.	.....do.....	3 Nov., 1873	.....	.....
Belgium.....	.....do.....	11 June, 1895	.....	.....
Bulgaria.....	Exchange of notes. Commerce.	10 May, 1906	.....	.....
China.....	Treaty. Friendship, commerce, and navigation.	20 Mar., 1847	.....	.....
Egypt.....	Declaration. Customs..	12 Feb., 1890	.....	.....
France.....	Treaty. Commerce.....	30 Dec., 1881	By France... 10 Sept., 1918	.....
Great Britain.	Convention. Commerce and navigation.	13 July, 1892	.....	.....
Greece.....	Convention. Commerce and navigation.	18 Mar., 1826	.....	.....
Italy.....	Treaty. Commerce and navigation.	27 Oct., 1852	.....	.....
Japan.....	.....do.....	14 July, 1862	.....	.....
Japan.....	.....do.....	19 May, 1911	.....	.....
Liberia.....	Convention. Customs..	.....do.....	.....	.....
Liberia.....	Treaty. Commerce and navigation.	1 Sept., 1863	.....	.....
Mexico.....	.....do.....	29 July, 1885	.....	.....
Morocco.....	Treaty. Peace and commerce.	14 May, 1763	.....	.....
Netherlands..	Treaty. Commerce and navigation.	25 Sept., 1847	.....	.....
Persia.....	Treaty. Friendship and commerce.	17 Nov., 1857	.....	.....
Portugal.....	Declaration. Commerce.	16 Apr., 1904	.....	.....
Rumania.....	Convention. Commerce and navigation.	3 Mar., 1910	.....	.....
Russia.....	Convention. Commerce.	9 Aug., 1906	.....	.....
Serb-Croat-Slovene State.	Declaration. Commerce.	11 Apr., 1907	.....	.....
Siam.....	Treaty. Friendship, commerce, and navigation.	18 May, 1868	.....	.....
Turkey.....	Treaty. Commerce and navigation.	10 Jan., 1737	.....	.....

⁵ For explanations concerning treaties in lists marked (A) see p. 871.⁶⁹ State Department dispatch No. 116, Madrid, 2 Feb., 1922; Ga. de Madrid, 22 June, 1921.⁷⁰ Nation, 114: 405.

SWITZERLAND.⁷¹(A)⁶ TREATIES GRANTING SPECIFIED TARIFF RATES. (CONVENTIONAL TARIFFS.)

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ⁶ —
Austria-Hungary.	Treaty. Commerce.....	9 Mar., 1906	By Switzerland, 1919.	1 July, 1921	
France.....	Convention. Commerce.	20 Oct., 1906	By France... 10 Sept., 1919		
Germany.....	Treaty. Commerce and customs.	10 Dec., 1891		6 June, 1921	
Italy.....	Treaty. Commerce.....	12 Nov., 1904			
	do.....	13 July, 1904	By Italy... 10 Jan., 1917		
Portugal.....	Convention. Commerce.	20 Dec., 1905			
Serb-Croat-Slovene State.	Treaty. Commerce.....	28 Feb., 1907	By Switzerland, 1918.		
Spain.....	do.....	1 Sept., 1906	By Spain... 20 Sept., 1918	20 May, 1921	Exchange of notes. ⁷² Commerce. 12 July, 1921. (To terminate 15 Mar., 1922). ⁷³

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS OR PROVIDING FOR MINIMUM TARIFF RATES.

Belgium.....	Treaty. Commerce.....	3 July, 1888			
Bulgaria.....	Exchange of notes. Commerce.	17 Feb., 1906			
Chile.....	Treaty. Commerce.....	31 Oct., 1897			
China.....	Declaration. Most-favored-nation treatment.	13 June, 1918			
Colombia.....	Treaty. Establishment and commerce.	14 Mar., 1908			
Denmark.....	Treaty. Commerce and establishment.	10 Feb., 1875			
Ecuador.....	Treaty. Establishment and commerce.	22 June, 1888			
Great Britain.	Treaty. Friendship, commerce, etc.	6 Sept., 1855			
Greece.....	Convention. Commerce.	10 June, 1887	By Greece... 18 Mar., 1920.		
Japan.....	Treaty. Establishment and commerce.	21 June, 1911			
Montenegro...	Agreement. Commerce.	31 Dec., 1910			
Netherlands..	Treaty. Establishment and commerce.	19 Aug., 1875			
Norway.....	Exchange of notes. Commerce.	5 May, 1906			
Persia.....	Treaty. Friendship and commerce.	23 July, 1873			
Rumania.....	Convention. Commerce.	3 Mar., 1893			
Russia.....	Convention. Settlement and commerce.	26 Dec., 1872			
Salvador.....	Treaty. Establishment and commerce.	30 Oct., 1883			

⁶ For explanations concerning treaties in lists marked (A) see p. 871.⁷¹ Switzerland has a new general tariff, effective 1 July, 1921, at which time such of the old conventional tariff treaties as were still in force, terminated. At present all countries receive general rates, but negotiations for new conventional tariff treaties are being carried on. (State Department dispatch No. 171, Berne, 14 Feb., 1922.)⁷² State Department dispatch, No. 2461, Madrid, 27 June, 1921.⁷³ Ibid., Madrid, 4 Mar., 1922.

TURKEY.⁷⁴(A) ⁶ TREATIES GRANTING SPECIFIED TARIFF RATES (CONVENTIONAL TARIFF).

Treaties with—	Description.	Signed.	Termination notified.	Termination effective.	Replaced by ⁶ —
Bulgaria.....	Convention. Commerce.	19 Feb., 1911	.....	.....	.....
Greece.....	Treaty. Commerce and navigation.	12 Apr., 1903	.....	2 July, 1917 ²	.....
Rumania.....	Treaty. Commerce.....	12 Aug., 1901	.....	29 Aug., 1916 ²	.....

(B) TREATIES PLEDGING MOST-FAVORED-NATION TREATMENT IN GENERAL TERMS.

America, United States of. ⁴	Treaty. Commerce and navigation.	7 May, 1830	.....	.....	.....
Belgium.....	Treaty. Friendship, commerce, and navigation.	3 Aug., 1838	.....	.....	.....
Brazil.....	.....do.....	5 Feb., 1858	.....	.....	.....
Denmark.....	Treaty. Commerce.....	1 May, 1841	.....	.....	.....
Egypt.....	Agreement. Customs...	18 Dec., 1890	.....	.....	.....
France.....	Convention. Commerce.	25 Nov., 1838	.....	5 Nov., 1914 ²	.....
Germany.....	Treaty. Commerce, friendship, and navigation.	26 Aug., 1890	.....	.....	.....
Great Britain.	Capitulations.....	1675.....	.....	5 Nov., 1914 ²	.....
Italy.....	Treaty of peace.....	18 Oct., 1912	.....	.....	.....
Montenegro...	Convention. Commerce.	4 Mar., 1909	.....	.....	.....
Netherlands..	Capitulations.....	15 Sept., 1680	.....	.....	.....
Norway.....	Protocol. Most-favored-nation treatment.	13 June, 1907	.....	.....	.....
Portugal.....	Declaration. Commerce.	11 Jan., 1890	.....	.....	.....
Russia.....	Convention. Commerce and navigation.	21 June, 1783	.....	3 Nov., 1914 ²	.....
Serb-Croat-Slovene State.	Treaty. Commerce.....	28 May, 1906	.....	2 Dec., 1914 ²	.....
Spain.....	Treaty. Peace and commerce.	14 Sept., 1782	.....	.....	.....
Sweden.....	Treaty. Commerce and navigation.	10 Jan., 1737	.....	.....	.....

² Date of declaration of war.⁴ Diplomatic relations severed 20 Apr., 1917.⁵ For explanations concerning treaties in lists marked (A) see p. 871.⁷⁴ The customs protocol of 25 Apr., 1907, providing for an 11 per cent ad valorem duty, is in force in Turkey. A mixed commission settles disputes between customs officials and importers and handles cases for the Allied and Associated Powers and neutral States.

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